

MINNEAPOLIS CITY COUNCIL OFFICIAL PROCEEDINGS

REGULAR MEETING OF JULY 11, 2008

(Published July 19, 2008, in *Finance and Commerce*)

Council Chamber
350 South 5th Street
Minneapolis, Minnesota
July 11, 2008 - 9:30 a.m.

Council President Johnson in the Chair.

Present - Council Members Gordon, Hofstede, Ostrow, Schiff, Lilligren, Colvin Roy, Glidden, Remington, Benson, Hodges, Samuels, President Johnson.

Absent – Council Member Goodman.

Lilligren moved adoption of the agenda. Seconded.

Adopted upon a voice vote 7/11/2008.

Absent - Goodman.

Lilligren moved acceptance of the minutes of the regular meeting and the adjourned session held on June 20, 2008. Seconded.

Adopted upon a voice vote 7/11/2008.

Absent - Goodman.

Lilligren moved referral of petitions and communications and reports of the City officers to the proper Council committees and departments. Seconded.

Adopted upon a voice vote 7/11/2008.

Absent - Goodman.

PETITIONS AND COMMUNICATIONS

COMMITTEE OF THE WHOLE:

NEIGHBORHOOD REVITALIZATION PROGRAM (NRP) (272869)

NRP Work Group Progress Report: Draft Working documents regarding proposed Neighborhood & Community Relations Department and Neighborhood & Community Advisory Board.

COMMUNITY DEVELOPMENT:

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (272870)

Delisi Building Project (re 2119 W Broadway, 2310 & 2312 Penn Ave N): Update report.

2007 Emergency Shelter Grant Funds: Report on adjustments to rehab scope of work with funds awarded to Exodus Hotel.

COMMUNITY DEVELOPMENT (See Rep):

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (272871)

Land Sale (2638-40 - 14th Ave S and 3223-22nd Ave S): To Greater Metropolitan Housing Corporation.

Fiscal Year 2008 HOME Funds (re Heritage Park Redevelopment Project, 914 & 1000 Emerson Ave N): Funding to Powderhorn Residents Group for Emerson Townhomes.

"It's All About Kids" Program 2008: Contract with Lutheran Social Services.

Affordable Ownership Housing Development Program: Additional funding for Cedar 28 project (2750 Cedar Ave S), 3310 Nicollet Condominiums & Redeemer Centr for Life Housing (1901-15 N 4th Ave).

COMMUNITY DEVELOPMENT and WAYS & MEANS/BUDGET (See Rep):

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (272872)

Fiscal Year 2008 HOME Budget.

HEALTH, ENERGY AND ENVIRONMENT (See Rep):

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (272873)

Minneapolis Workforce Council: Approve Mayoral appointments and reappointments; and Approve residency waivers.

Workforce Investment Act: Authorize Mayor to sign Program Year 2008 Local Unified Plan for WIA.

HEALTH, ENERGY AND ENVIRONMENT and INTERGOVERNMENTAL RELATIONS (See Rep):

MAYOR (272874)

Minneapolis Good Jobs Green Jobs Initiative: Support initiative.

HEALTH, ENERGY AND ENVIRONMENT and WAYS & MEANS/BUDGET (See Rep):

HEALTH AND FAMILY SUPPORT SERVICES (272875)

Youth Mentoring: Submit grant application to United States Department of Justice to provide youth mentoring through community partnerships.

Lead Outreach: Submit grant application to United States Department of Housing and Urban Development to increase enrollment of the housing of low income, at risk children and pregnant women into lead abatement and treatment programs.

REGULATORY SERVICES (272876)

Lead Hazard Reduction Activities: Submit grant application to United States Department of Housing and Urban Development for lead hazard control and lead technical research grants.

INTERGOVERNMENTAL RELATIONS:

INTERGOVERNMENTAL RELATIONS (272877)

Criminal Justice Coordinating Committee: Update on June, 2008 meeting.

INTERGOVERNMENTAL RELATIONS (See Rep):

INTERGOVERNMENTAL RELATIONS (272878)

Local Approval Requirements: Resolutions approving Laws of Minnesota 2008 relating to a) liquor license at 1367 Willow St S; b) maintenance of streets & street lighting; c) homeless assistance tax increment financing district; d) housing replacement districts; e) tax increment financing redevelopment district; and f) park dedication fees.

PUBLIC SAFETY AND REGULATORY SERVICES:

POLICE DEPARTMENT (272879)

Minneapolis — A Safe Place to Call Home: Report.

Comprehensive Diversity Plan: Report.

Violent Offender Task Force: Report.

REGULATORY SERVICES (272880)

Property Demolition: Request to accept funds from Hennepin County for demolition support; and Hire additional staff.

Pet Licensing: Update report regarding on-line pet licensing.

PUBLIC SAFETY AND REGULATORY SERVICES (See Rep):

LICENSES AND CONSUMER SERVICES (272881)

Baladna Food (801 4th St SE): Sidewalk Cafe Plan.

Kindee Restaurant (719 S 2nd St): Sidewalk Cafe Plan.

Sgt Preston's (221 Cedar Av): Grant On-Sale Liquor Class E with Sunday Sales License, with conditions.

Licenses: Applications.

REGULATORY SERVICES (272882)

Rental Dwelling License at 1918 Queen Av N: Approve license reinstatement to be held by Kunta J Comodore.

Rental Dwelling License at 420 30th Av N: Approve license reinstatement to be held by Noel Klaindel.

PUBLIC SAFETY AND REGULATORY SERVICES and WAYS & MEANS/BUDGET (See Rep):

FIRE DEPARTMENT (272883)

Project Heartbeat Program: Execute agreement with Cardiac Science Corp for a marketing partnership arrangement; and Approve revenues from Cardiac Science of \$60,000.

POLICE DEPARTMENT (272884)

Police Cadet Training: Execute contract with Minneapolis Community and Technical College Center for criminal justice and law enforcement training for cadets.

PURCHASING (272885)

Weed Cutting: OP #6962, accept low bid of Over the Top for services in South District.

TRANSPORTATION AND PUBLIC WORKS (See Rep):

PUBLIC WORKS AND ENGINEERING (272886)

Lyndale-Lake Special Service District: Establish district.

East Lake Street Special Service District: Establish district.

2008 Alley Resurfacing Program: Designate alleys and receive cost estimate.

On-Street Parking Meter Technology: Issue RFP.

Central Corridor LRT: Memorandum of Understanding.

TRANSPORTATION AND PUBLIC WORKS and WAYS & MEANS/BUDGET (See Rep):

PUBLIC WORKS AND ENGINEERING (272887)

Capital Bridge Projects: Closeout projects and reallocate excess funds.

Bid: OP 6977, VCI Environmental, Inc., for painting Little Earth Pedestrian Bridge.

WAYS AND MEANS BUDGET:

ASSESSOR (272888)

Property Tax Increase Maps: Nokomis and University Communities.

BUSINESS INFORMATION SERVICES (BIS) (272889)
Electronic Product Environmental Assessment Tool (EPEAT): Status Report.
POLICE DEPARTMENT (272890)
July 2008 Monthly Budget Status Report.

WAYS AND MEANS BUDGET (See Rep):

ATTORNEY (272891)
Legal Settlement: Nicole and Tyra Chivers v. City of Minneapolis.
COMMUNICATIONS (272892)
August 2008 Utility Billing Insert: 2008 Minneapolis Voter Information.
CONVENTION CENTER AND PROCUREMENT (272893)
Electronic Signs: Low responsive bid of Topline Advertising, Inc.
COORDINATOR (272894)
Kelber Catering: Donation for Minneapolis Sesquicentennial Employee Recognition Event.
FINANCE DEPARTMENT (272895)
Ames & Fischer Co. II, LLP: Settlement amendment for obligation prepayment.
PUBLIC WORKS AND ENGINEERING (272896)
Solid Waste and Recycling Contract: Permanent Review Committee findings regarding RFP for services.

ZONING AND PLANNING (See Rep):

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (272897)
Minneapolis Zoning Code Text and Map Amendment Work Plan.
INSPECTIONS/BOARD OF ADJUSTMENT (272898)
Appeal:
Wentworth Aircraft (2825 13th Ave S): Appeal of a variance application regarding outdoor storage of aircraft parts.
PLANNING COMMISSION/DEPARTMENT (272899)
The Minneapolis Plan for Sustainable Growth: Update of the Comprehensive Plan for submission to the Met Council for review.

FILED:

MAYOR (272900)
Interim Minneapolis Fire Chief: 90 day redesignation of Alex Jackson.
Minneapolis Fire Chief: Nomination letter of Alex Jackson.

The following reports were signed by Mayor Rybak on July 15, 2008, unless noted otherwise. Minnesota Statutes, Section 331A.01, Subd 10, allows for summary publication of ordinances and resolutions in the official newspaper of the city.

REPORTS OF STANDING COMMITTEES

The COMMUNITY DEVELOPMENT Committee submitted the following reports:

Comm Dev - Your Committee recommends passage of the accompanying resolution authorizing sale of the properties at 2638-40 - 14th Ave S and 3223 - 22nd Ave S to the Greater Metropolitan Housing Corporation for \$1.00 for each property, subject to the following conditions:

- a) Land sale closings must occur on or before 30 days from date of City Council approval;
- b) Payment of holding costs of \$150 per month per parcel from the date of City Council approval to the date of closing if land sale closings do not occur on or before 30 days from date of approval.

The sale conditions may be waived or amended with the approval of the Director of the Department of Community Planning & Economic Development.

Adopted 7/11/2008.

Absent - Goodman.

Resolution 2008R-270, authorizing sale of land Vacant Housing Disposition Parcel Nos. TF-708 & MC 190-23B; and TF-707 (2638-40 14th Ave S and 3223 - 22nd Ave S), was adopted 7/11/2008 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2008R-270

By Goodman

Authorizing sale of land Vacant Housing Disposition Parcel Nos. TF-708 & MC 190-23B; and TF-707 (2638-40 14th Ave S and 3223 - 22nd Ave S).

Whereas, the City of Minneapolis, hereinafter known as the City, has received an offer to purchase and develop Disposition Parcels TF-708 & MC 190-23B and TF-707, in the Midtown Phillips neighborhood, from Greater Metropolitan Housing Corporation, hereinafter known as the Redeveloper, the Parcels TF-708 & MC 190-23B, and TF-707, being the following described land situated in the City of Minneapolis, County of Hennepin, State of Minnesota to wit:

LEGAL DESCRIPTION of TF-708 & MC 190-23B; 2638-40 14th Avenue South: Lot 7 and the South one-half of Lot 6, Block 1, Barnes Rearrangement of Block One (1) of Wright's Addition. A portion of which is registered land as is evidenced by Certificate of Title No. 1221840;

LEGAL DESCRIPTION of TF-707; 3223 22nd Avenue South: Lot 7, Block 1, Perkins' Addition to Minneapolis Minn, Except the North 10 feet thereof; and

Whereas, the Redeveloper has offered to pay the sum of \$1 each for Parcel TF-708 & MC 190-23B and for Parcel TF-707 to the City for the land, and the Redeveloper's proposal is in accordance with the Collaborative Program between the City, Hennepin County, Greater Metropolitan Housing Corporation and Hennepin County Sentence to Serve Program approved by the City Council on September 25, 2007 (Collaborative Program); and

Whereas, the purposes of the Collaborative Program are to reduce blight and crime and to provide affordable housing; and

Whereas, the City hereby finds that the development of such parcels is necessary to help alleviate a shortage of decent, safe and sanitary housing for persons of low and moderate income and their families; and

Whereas, the Redeveloper has submitted to the City a statement of financial responsibility and qualifications; and

Whereas, the City has had the re-use value reviewed by an appraisal expert, stating that the re-use value opinion is consistent with the accepted methods in aiding the City in determining a re-use value for the Parcels; and

Whereas, pursuant to due notice thereof published in *Finance and Commerce* on June 13, 2008, a public hearing on the proposed sale was duly held on June 24, 2008, at the regularly scheduled Community Development Committee meeting of the City Council, at the Minneapolis City Hall, 350 South 5th Street, Room 317, at 1:30 p.m., in the City of Minneapolis, County of Hennepin, State of Minnesota;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the re-use value of the parcels is estimated to be \$23,000 for TF-708 & MC 190-23B and \$46,000 for TF-707; however, in accordance with and to advance the purposes of the Collaborative Program, the City is selling the parcels for sum of \$1 each.

Be It Further Resolved that the acceptance of the offer and proposal is hereby determined to be in accordance with the City's approved disposition policy and it is further determined that the Redeveloper possesses the qualifications and financial resources necessary to acquire and develop the parcel in accordance with the City's goals and the goals of the Collaborative Program.

Be It Further Resolved that the proposal be and the same is hereby accepted, subject to the execution of a contract for the sale of land and further subject to the following conditions: 1) land sale closing must occur on or before 30 days from the date this Resolution is approved by the City and 2) payment of holding costs of \$150.00 per month from the date of approval of this Resolution if the land sale closing does not occur on or before 30 days from the date of approval.

Be It Further Resolved that the sale conditions described immediately above may be waived or amended with the approval of the Department of Community Planning & Economic Development Director.

Be It Further Resolved that upon publication of this Resolution, the Finance Officer or other appropriate official of the City be and the same is hereby authorized to execute and deliver the contract to the Redeveloper; provided, however, that this Resolution does not constitute such a contract and no such contract shall be created until executed by the Finance Officer or other appropriate official of the City.

Be It Further Resolved that the Finance Officer or other appropriate official of the City is hereby authorized to execute and deliver a conveyance of the land to the Redeveloper in accordance with the provisions of the executed contract and upon payment to the City for the purchase price thereof; provided, however, that this Resolution does not constitute such a conveyance and no such conveyance shall be created until executed by the Finance Officer or other appropriate City official of the City.

Adopted 7/11/2008.

Absent - Goodman.

Comm Dev – Your Committee recommends approval for the use of up to \$45,000 of Fiscal Year 2008 HOME funds to Powderhorn Residents Group for the Emerson Townhomes project located in the Heritage Park Redevelopment Project at 914 and 1000 Emerson Ave N, and that the proper City officers be authorized to execute the necessary documents relative to said funds.

Adopted 7/11/2008.

Absent - Goodman.

Comm Dev - Your Committee recommends that the proper City officers be authorized to enter into a contract with Lutheran Social Services in an amount not to exceed \$200,000 as approved in the 2008 budget for the administration of the "It's All About the Kids" Program.

Adopted 7/11/2008.

Absent - Goodman.

Comm Dev - Your Committee, having under consideration additional Affordable Ownership Housing Development Program funding, now recommends:

a) Approval of the following development projects to receive program funding, with a total funding commitment of \$93,885:

Up to \$5,000 for construction gap financing to Cedar 28 project at 2750 Cedar Ave S by Urban Homeworks, Inc for one unsold unit. The City of Lakes Community Land Trust (CLCLT) will market and finance the affordable units;

Up to \$68,885 for construction and affordability gap financing to 3310 Nicollet Condominiums project at 3310 Nicollet Ave S by Prima Land, Inc for four unsold units. The City of Lakes Community Land Trust (CLCLT) will market and finance seven of the nine affordable units and be the Borrower for the AOHP affordability gap funds;

Up to \$20,000 for construction gap financing to Redeemer Center for Life Housing project at 1901-15 N 4th Ave by Project for Pride in Living as a general partner or an affiliate of the Borrower established for the purpose of holding or owning real estate subject to the City loan for two unsold units;

b) That the proper City officers be authorized to modify the current sales requirement as set forth in the Department of Community Planning & Economic Development staff report; and

c) That the City of Minneapolis Unified Housing Policy for the Cedar 28 and 3310 Nicollet projects be waived.

Adopted 7/11/2008.

Absent - Goodman.

The COMMUNITY DEVELOPMENT and WAYS & MEANS/BUDGET Committees submitted the following report:

Comm Dev & W&M/Budget - Your Committee recommends approval of the Fiscal Year 2008 HOME Budget, as set forth in the Department of Community Planning & Economic Development staff report.

Adopted 7/11/2008.

Absent - Goodman.

The HEALTH, ENERGY & ENVIRONMENT Committee submitted the following reports:

HE&E – Your Committee recommends concurrence with the recommendation of the Mayor to approve the following appointments to the Minneapolis Workforce Council:

Appointments

Leif Larson, Ward 1, to fill the unexpired term of Joe Werner to expire June 30, 2009

Ken Lundquist, Ward 2, to fill the unexpired term of Obie Kipper to expire June 30, 2009

Thomas MacNally, Ward 13 (work), to fill the unexpired term of Todd Wood to expire June 30, 2009

Jacqueline Salisbury, Ward 2 (work) for a term to expire June 30, 2010

Jennifer Varien, Ward 12, for a term to expire June 30, 2010

Reappointments, for two-year terms to expire June 30, 2010

Ann Eilbracht, Ward 3

Joe Gaspard, Ward 7 (work)

Laurie Rice, Ward 7

Carolyn Roby, Ward 7

Jim Roth, Ward 12.

Your Committee further recommends that the residency requirement be waived, pursuant to Section 14.180 of the Minneapolis Code of Ordinances, for Joe Gaspard, Thomas MacNally, and Jacqueline Salisbury.

Benson moved to substitute the following report for the above report. Seconded.

Adopted by unanimous consent.

Absent - Goodman.

HE&E – Your Committee recommends concurrence with the recommendation of the Mayor to approve the following appointments to the Minneapolis Workforce Council:

Appointments

Leif Larson, Ward 1, to fill the unexpired term of Joe Werner to expire June 30, 2009

Ken Lundquist, Ward 2, to fill the unexpired term of Obie Kipper to expire June 30, 2009

Thomas MacNally, Ward 13 (work), to fill the unexpired term of Todd Wood to expire June 30, 2009

Michael McHugh, Ward 5 (home), Ward 7 (work) for a term to expire June 30, 2010

Jacqueline Salisbury, Ward 2 (work) for a term to expire June 30, 2010

Jennifer Varien, Ward 12, for a term to expire June 30, 2010

Reappointments, for two-year terms to expire June 30, 2010

Joe Gaspard, Ward 7 (work)

Laurie Rice, Ward 7

Carolyn Roby, Ward 7

Jim Roth, Ward 12.

Your Committee further recommends that the residency requirement be waived, pursuant to Section 14.180 of the Minneapolis Code of Ordinances, for Joe Gaspard, Thomas MacNally, and Jacqueline Salisbury.

The substitute report was adopted 7/11/2008.

Absent - Goodman.

HE&E – Your Committee recommends that Mayor Rybak be authorized to sign the Program Year 2008 Local Unified Plan for the Workforce Investment Act (WIA) for the period July 1, 2008 to June 30, 2009.

Adopted 7/11/2008.

Absent - Goodman.

The HEALTH, ENERGY & ENVIRONMENT and INTERGOVERNMENTAL RELATIONS Committees submitted the following report:

HE&E & IGR – Your Committee recommends passage of the accompanying resolution supporting the Minneapolis Good Jobs Green Jobs Initiative.

Adopted 7/11/2008.

Absent - Goodman.

Resolution 2008R-271, supporting the Minneapolis Good Jobs Green Jobs Initiative, was adopted 7/11/2008 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2008R-271
By Benson, Gordon and Samuels

Supporting the Minneapolis Good Jobs Green Jobs Initiative.

Whereas, Mayor R.T. Rybak was one of the original signors to the United States Conference of Mayors Climate Protection Agreement, which calls upon cities to meet or beat the climate protection actions in the Kyoto Protocol; and

Whereas, in December 2004 the Minneapolis City Council ratified the Daegu Declaration developed at the first Solar Cities Congress held in Daegu, South Korea that supported the implementation of verifiable standards for sustainable development and realistic climate change policies, and recognized the opportunity for cities to take a leadership role in creating new technologies for renewable energy and energy efficiency; and

Whereas, the City of Minneapolis is a leader among cities in taking real actions to address climate change, including adopting 24 sustainability indicators providing a blueprint upon which to build a more sustainable city, setting aggressive targets to reduce CO2 emissions and increase the use of renewable energy; and

Whereas, the City of Minneapolis is committed to building One Minneapolis, with equal opportunity for all, including designing its employment and training programs to eliminate employment disparities and promoting economic justice; and

Whereas, the City of Minneapolis believes that investments needed to solve the critical environmental challenges such as global warming represent a strategic economic opportunity to grow our economy, and create green collar jobs for Minneapolis residents; and

Whereas, Mayor Rybak co-chaired the Mayors' Green Manufacturing Initiative over the past year in partnership with the national Blue Green Alliance and the City of Saint Paul and over 60 community stakeholders from business, labor, economic development experts, state, university and others, to develop the *Making It Green* report; and

Whereas, the *Making It Green* report lays out five strategies that Minneapolis can take to become a national leader in promoting and developing the economy while creating family supporting jobs; and

Whereas, the City is already pursuing several strategies to build the green economy in Minneapolis, including, but not limited to:

- Adopting a Leadership in Energy and Environmental Design (LEED) Policy that requires municipal facilities to be built or rehabbed to LEED Silver standards;
- Establishing the Team Teen Works Green Team summer green job corps program;

- Updating the Minneapolis Comprehensive Plan – now named The Minneapolis Plan for Sustainable Growth – to ratify the City's commitment to building a sustainable city;
- Directing staff to revise the City's Environmentally Preferred Procurement Policy to include wherever possible green purchasing that supports local suppliers;
- Partnering with the City of Saint Paul and the Department of Energy on the Solar America Initiative to increase solar installation and production capacity in the City;
- Revising City zoning and regulatory policies to make it easier for property owners to invest in renewable energy and energy efficiency;
- Adopting the Industrial Land Use Policy, which safeguards Industrial Employment Districts, to protect them for the creation of good paying jobs;

• Installing solar panels and green roofs on municipal buildings, including plans for installation of a 600 kw solar array – the largest in the Upper Midwest – on the Minneapolis Convention Center this fall;
Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the City endorse the Minneapolis Good Jobs Green Jobs Initiative to integrate strategies throughout the City's work to capture the benefits of the emerging green economy for Minneapolis.

Be It Further Resolved that the City thanks the participants in the Mayors' Green Manufacturing Initiative for their work in creating the *Making It Green* report.

Be It Further Resolved that the City participate in Phase II of the Green Manufacturing Initiative in partnership with the Blue Green Alliance and the City of Saint Paul, to include further work on a developing a marketing plan, researching economic growth potential in additional green industries, identifying future workforce needs and training pathways, and research options for formalizing the partnership with all stakeholders.

Be It Further Resolved that CPED staff be directed to incorporate a focus on capturing the benefits of the emerging green economy in its work, including but not limited to:

- Establishing a marketing framework that promotes the City for green economic development and green collar jobs;
- Reviewing business finance and development tools for opportunities to promote green business development;
- Convening area businesses to build a green business networking group to expand and support growth into the green economy;
- Connecting with existing workforce development partners to position curriculum, job-placement, and business need for potential career opportunities in the green economy for low-income Minneapolis residents and to seek opportunities to build green economy experiences for youth 14-21 years old through the Minneapolis Employment and Training Program's STEP-UP program;
- Continued refinement and implementation of planning policies and regulations that further the City's sustainability goals and support the emerging green economy.

Be It Further Resolved that Intergovernmental Relations staff monitor the progress of the Green Jobs Task Force established by the 2008 legislature and how the City should participate in the policy discussions, including identifying future proposals for legislative action.

Be It Further Resolved that City's Sustainability Manager work with appropriate partners to develop a sustainability indicator to be included in future Sustainability Reports to measure whether Minneapolis is successfully capturing the benefits of the emerging green economy.

Adopted 7/11/2008.

Absent - Goodman.

The HEALTH, ENERGY & ENVIRONMENT and WAYS & MEANS/BUDGET Committees submitted the following reports:

HE&E & W&M/Budget – Your Committee recommends that the proper City officers be authorized to submit a grant application to the United States Department of Justice seeking a three-year grant in an amount up to \$500,000 to provide youth mentoring through community partnerships that addressed goal 1 from the Blue Print to Address Youth Violence in Minneapolis. The purpose of the program will

be to increase the capacity of the five target neighborhoods/communities to implement “effective” mentoring programs through cross-system collaboration among City agencies and public and private partner organizations who share a common interest in supporting at-risk youth during the period October 1, 2008 through September 30, 2011.

Adopted 7/11/2008.

Absent - Goodman.

HE&E & W&M/Budget – Your Committee recommends that the proper City officers be authorized to submit a grant application to the United States Department of Housing and Urban Development seeking a two-year grant for an amount up to \$300,000 to provide public outreach and education that would increase the number of houses enrolled in lead abatement and treatment programs that are occupied by low-income and at-risk children and pregnant women. The grant will support the Minneapolis Project for Lead-Safe Kids during the period November 1, 2008 through October 30, 2010.

Adopted 7/11/2008.

Absent - Goodman.

HE&E & W&M/Budget – Your Committee recommends that the proper City officers be authorized to submit a grant application to the United States Department of Housing and Urban Development seeking \$3,000,000 for a Lead Hazard Control grant to replace windows in targeted neighborhoods with high elevated blood lead poisoning levels; and \$1,000,000 for a Lead Technical Research grant to examine if a robotic floor cleaner can clean a smooth floor at a level that will pass lead dust clearance standards.

Adopted 7/11/2008.

Absent - Goodman.

The INTERGOVERNMENTAL RELATIONS Committee submitted the following report:

IGR - Your Committee recommends passage of the accompanying resolutions granting local approval to Laws of Minnesota 2008 as follows:

- a) Authorizing the City to issue an on-sale intoxicating liquor license to a restaurant at 1367 Willow St S;
- b) Authorizing the City to fund all or part of the costs of construction, operating and maintenance of streets and street lighting from general revenues;
- c) Authorizing the City to correct an error in the measurement of the boundaries of a homeless assistance tax increment district from six acres to eight acres;
- d) Authorizing the City to make certain changes to the housing replacement project;
- e) Authorizing the City to establish a redevelopment tax increment financing district comprised of the properties included in the existing tax increment districts in the City; and
- f) Authorizing the City to impose a dedication fee on new commercial and industrial development in the City, and to dedicate a reasonable portion of land or impose a dedication fee for the public use of trails.

Adopted 7/11/2008.

Absent - Goodman.

Resolution 2008R-272, approving Laws of Minnesota 2008 Legislative Session; Chapter 311, Article 1, Section 5, authorizing the City of Minneapolis to issue an on-sale intoxicating liquor license to a restaurant located at 1367 Willow St S, was adopted 7/11/2008 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2008R-272

By Hodges

Approving Laws of Minnesota 2008 Legislative Session; Chapter 311, Article 1, Section 5.

JULY 11, 2008

Whereas, the Minnesota State Legislature has passed a law authorizing the City of Minneapolis to issue an on-sale intoxicating liquor license to a restaurant located at 1367 Willow Street South; and

Whereas, the license authorizes sales on all days of the week; and

Whereas, said legislation, by its terms requires an affirmative vote of a majority of the members of the City Council by the first day of the next regular session of the legislature before it may become effective;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That said law be now approved and the City Clerk be directed to prepare and file with the Secretary of State the required certification of approval.

Adopted 7/11/2008.

Absent - Goodman.

Resolution 2008R-273, approving Laws of Minnesota 2008 Legislative Session; Chapter 154, Article 2, Section 29, authorizing the City of Minneapolis to fund all or part of the costs of construction, operation and maintenance of streets and street lighting from general revenues, was adopted 7/11/2008 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2008R-273

By Hodges

Approving Laws of Minnesota 2008 Legislative Session; Chapter 154, Article 2, Section 29.

Whereas, the Minnesota State Legislature has passed a law authorizing the City of Minneapolis to fund all or part of the costs of construction, operation and maintenance of streets and street lighting from general revenues;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That said law be now approved and the City Clerk be directed to prepare and file with the Secretary of State the required certification of approval.

Adopted 7/11/2008.

Absent - Goodman.

Resolution 2008R-274, approving Laws of Minnesota 2008 Legislative Session; Chapter 366, Article 5, Section 22, authorizing the City of Minneapolis to increase the size of a homeless assistance tax increment finance district from six acres to eight, was adopted 7/11/2008 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2008R-274

By Hodges

Approving Laws of Minnesota 2008 Legislative Session; Chapter 366, Article 5, Section 22.

Whereas, the Minnesota State Legislature has passed a law authorizing the City of Minneapolis to increase the size of a homeless assistance tax increment finance district from six acres to eight; and

Whereas, this correction is technical and will not impact the current tax increment district;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That said law be now approved and the City Clerk be directed to prepare and file with the Secretary of State the required certification of approval.

Adopted 7/11/2008.

Absent - Goodman.

Resolution 2008R-275, approving Laws of Minnesota 2008 Legislative Session; Chapter 154, Article 9, Sections 18 and 19; and Chapter 366, Article 5, Section 20, authorizing the City of Minneapolis to expand the authority for housing replacement districts in the City to now also include successors and assigns of the Minneapolis Community Development Agency, was adopted 7/11/2008 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2008R-275
By Hodges

Approving Laws of Minnesota 2008 Legislative Session; Chapter 154, Article 9, Sections 18 and 19; and Chapter 366, Article 5, Section 20.

Whereas, the Minnesota State Legislature has passed a law authorizing the City of Minneapolis to expand the authority for housing replacement districts in the City to now also include successors and assigns of the Minneapolis Community Development Agency; and

Whereas, the Minnesota State Legislature has passed a law authorizing the City of Minneapolis to increase the total number of parcels the authority may designate to be included in housing replacement districts over the life of the districts to 400; and

Whereas, the Minnesota State Legislature has passed a law authorizing the City of Minneapolis to use revenues derived from tax increments from its housing replacement district for activities related to parcels not identified in the housing replacement plan but which would qualify for inclusion; and

Whereas, said legislation, by its terms requires an affirmative vote of a majority of the members of the City Council by the first day of the next regular session of the legislature before it may become effective;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That said law be now approved and the City Clerk be directed to prepare and file with the Secretary of State the required certification of approval.

Adopted 7/11/2008.

Absent - Goodman.

Resolution 2008R-276, approving Laws of Minnesota 2008 Legislative Session; Chapter 366, Article 5, Section 37, authorizing the City of Minneapolis to establish a redevelopment tax increment financing district comprised of the properties included in the existing tax increment districts in the City, was adopted 7/11/2008 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2008R-276
By Hodges

Approving Laws of Minnesota 2008 Legislative Session; Chapter 366, Article 5, Section 37.

Whereas, the Minnesota State Legislature has passed a law authorizing the City of Minneapolis to establish a redevelopment tax increment financing district comprised of the properties included in the existing tax increment districts in the City; and

Whereas, the increments from the district would be used to pay interest on the Target Center bonds and for neighborhood revitalization;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That said law be now approved and the City Clerk be directed to prepare and file with the Secretary of State the required certification of approval.

Adopted 7/11/2008.

Absent - Goodman.

Resolution 2008R-277, approving Laws of Minnesota 2008 Legislative Session; Chapter 331, Article 1, Section 11; and Chapter 366, Article 17, Section 5, authorizing the City of Minneapolis to impose a dedication fee on new commercial and industrial development, was adopted 7/11/2008 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2008R-277

By Hodges

Approving Laws of Minnesota 2008 Legislative Session; Chapter 331, Article 1, Section 11; and Chapter 366, Article 17, Section 5.

Whereas, the Minnesota State Legislature has passed a law authorizing the City of Minneapolis to impose a dedication fee on new commercial and industrial development; and

Whereas, the Minnesota State Legislature has passed a law authorizing the City of Minneapolis to dedicate fees or dedicate land for the public use of trails; and

Whereas, the authorization to impose a dedication fee on new commercial and industrial development, and dedicate fees or dedicate land for the public use of trails was part of the 2008 legislative agenda of the City of Minneapolis; and

Whereas, said legislation, by its terms requires an affirmative vote of a majority of the members of the City Council by the first day of the next regular session of the legislature before it may become effective;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That said law be now approved and the City Clerk be directed to prepare and file with the Secretary of State the required certification of approval.

Adopted 7/11/2008.

Absent - Goodman.

The PUBLIC SAFETY & REGULATORY SERVICES Committee submitted the following reports:

PS&RS - Your Committee, having under consideration the following applications for Sidewalk Cafe Licenses, and having held a public hearing thereon, now recommends that said licenses be granted, subject to final inspection and compliance with all provisions of applicable codes and ordinances:

a. Lebanese Food LLC, dba Baladna Food, 801 4th St SE
(new business) to expire April 1, 2009.

b. Kindee Inc, dba Kindee, 719 2nd Av S (new business) to
expire April 1, 2009.

Adopted 7/11/2008.

Absent - Hofstede, Goodman.

PS&RS - Your Committee recommends passage of the accompanying resolution granting the application of Sgt Prestons, 221 Cedar Av, for an On-Sale Liquor Class E with Sunday Sales License, subject to conditions.

Adopted 7/11/2008.

Absent - Hofstede, Goodman.

Resolution 2008R-278, granting the application of Sgt Prestons, 221 Cedar Av, for an On-Sale Liquor Class E with Sunday Sales License, subject to conditions, was adopted 7/11/2008 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2008R-278

By Samuels

Granting the application of Sgt Prestons, 221 Cedar Av, for an On-Sale Liquor Class E with Sunday Sales License, subject to conditions.

Resolved by The City Council of The City of Minneapolis:

That it grants the application submitted by Watermark Entertainment LLC, dba Sgt Prestons, 221 Cedar Av, for an On-Sale Liquor Class E with Sunday Sales License (downgrade from On-Sale Liquor Class B with Sunday Sales) to expire January 1, 2009, subject to the following conditions:

1. The licensee will utilize a sound limiting meter. A Minneapolis Environmental Inspector will assist the licensee with establishing a sound level maximum that would not disturb residents. Once that level is determined, the licensee may not exceed that level of sound.

2. The licensee will collect all litter within 100 feet of the exterior of the building housing the licensed premises on a daily basis.

3. Employees of the applicant shall receive alcohol server training from an approved provider at a minimum on a yearly basis. All new employees shall attend server training within 60 days of serving beverage alcohol.

4. Specialty beverages, for example the "fish bowl", will be limited to 30 percent alcohol content and 70 percent non-alcohol content in an effort to address over service.

5. The business will not install payphones either inside or outside the establishment.

6. The business will follow all laws and rules of the City of Minneapolis and the State of Minnesota relating to operating an establishment with an on-sale beverage alcohol license.

7. Any patron under the age of 21 with any detectable presence of alcohol in their system shall be refused admittance into the establishment or as soon as alcohol is detected in the patron's system, escorted from the premises.

8. The licensee will not advertise nor promote "18 plus/all ages" events on the premises.

9. The applicant or designated representative shall regularly attend the Downtown Entertainment District Security Meetings (Bar Watch).

10. All persons seeking to gain entrance to the establishment who appear to be under the age of 21 shall be required to present legitimate identification as a condition of entrance except during private events that are not open to the public. No minors will be allowed to remain on the premises unless as otherwise allowed under State Statute 340A.503.

11. The applicant shall compile, maintain and share a "do not admit" list and any video surveillance system recordings with the local Precinct or any other official of the City of Minneapolis upon request to prevent reoccurrence of disturbances by known persons.

12. All IDs confiscated due to improper use by the patron or because the ID is counterfeit or otherwise invalid or defective will be turned over to the First Police Precinct within 24 hours.

13. Sgt Preston's at all times will keep an accurate occupancy count and immediately share such figures upon the request of any official or officer of the City of Minneapolis. Sgt Preston's shall not let more patrons into the establishment than is legally allowed, with the occupancy number posted in plain sight near the main entrance of the establishment.

14. The applicant will schedule and maintain adequate security beyond closing time to assist with effective dispersal of crowds.

15. Outside speakers will not be allowed.

16. The patio area shall be restricted to the approved plan, including that no tables or chairs shall be closer to the building than 10 feet and no tables and chairs shall be closer than 6 feet to any sidewalk obstruction along Washington Av S. The number of patrons on the patio should not exceed the number of seats. Noise coming from patrons in all outdoor areas will be managed consistent with the requirements of Chapter 389 of the Minneapolis Code of Ordinances.

17. The licensee shall provide food service in all outdoor areas during a substantial portion of the hours of operation. Food service may consist of less than the full menu, but shall at all times offer a substantial choice of main courses, other food items and nonalcoholic beverages.

18. The City Council may review the operation of any outdoor area in connection with the renewal of the on-sale license for the establishment or at any other time for good cause. Violation of the terms and conditions of this section shall be grounds for revocation, suspension or refusal to renew the on-sale license for that portion of the licensed premises pertaining to the outside area.

19. The licensee is prohibited from serving any alcoholic malt beverage or non-alcoholic beverage in an original container manufactured from glass after 11:00 p.m. in the outdoor area. In addition to the prohibition on

20. Final inspection and compliance with all provisions of applicable codes and ordinances.

Adopted 7/11/2008.

Absent - Hofstede, Goodman.

PS&RS - Your Committee recommends passage of the accompanying resolution granting applications for Liquor, Wine and Beer Licenses.

Adopted 7/11/2008.

Absent - Hofstede, Goodman.

Resolution 2008R-279, granting applications for Liquor, Wine and Beer Licenses, was adopted 7/11/2008 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2008R-279

By Samuels

Granting Liquor, Wine and Beer Licenses.

Resolved by The City Council of The City of Minneapolis:

That the following applications for liquor, wine and beer licenses be granted, subject to final inspection and compliance with all provisions of applicable codes and ordinances (Petn No 272881):

Off-Sale Liquor, to expire July 1, 2009

Sorella Wine & Spirits Inc, dba Sorella Wine & Spirits, 1010 Washington Av S

Philmik Inc, dba Hennepin Lake Liquors, 1200 W Lake St

Sentyrz Falyce A, dba Sentyrz Liquor & Supermarket, 1612 2nd St NE, 1st floor

KJM Enterprises Inc, dba Lowry Hill Liquors, 1922 Hennepin Av, 1st floor

E & M Franklin Nicollet Inc, dba Franklin Nicollet Liquor Store, 2012 Nicollet Av, 1st floor

Michalaur, LLC, dba Hum's Liquor Store, 2126 Lyndale Av S

Kick's Liquor Store Inc, dba Broadway Liquor Outlet, 2201 W Broadway

Off-Sale Liquor, to expire January 1, 2009

AMPA Inc, dba Y'All Come Back Saloon, 830 Hennepin Av

On-Sale Liquor Class A with Sunday Sales, to expire June 15, 2008

La Vina Inc, dba La Vina Restaurant and Banquet Center, 3010 4th Av S (June 15, 2008, Extension of Hours for authorization to operate until 1:00 a.m., per conditions.)

On-Sale Liquor Class A with Sunday Sales, to expire July 1, 2009

Trocaderos LLC, dba Trocaderos, 107 3rd Av N

Screaming Triangle LLC, dba Minneapolis Eagle, 515 Washington Av S

Minnesota Historical Society, dba Mill City Museum, 704 S 2nd St

Food and Drink Inc, dba Barfly, 711 Hennepin Av

I & E Inc, dba Bunker's, 761 Washington Av N, 1st floor

Metropolitan Sports Facilities Commission, dba H H H Metrodome, 900 S 5th St

Varsity Arts LLC, dba Varsity Theater, 1308 4th St SE

Minneapolis Branch American Association of University Women, dba Gale Mansion, 2115 Stevens

Av

Midwest Latino Entertainment & Talent, dba El Nuevo Rodeo & La Quebradita Restaurant, 2709 E Lake St

Pepito's Mexican Foods Inc, dba Pepito's, 4820 Chicago Av

On-Sale Liquor Class B with Sunday Sales, to expire April 1, 2009

Arthurs Riverfront Properties Inc, dba Moose on Monroe, 356 Monroe St NE

T J Management of Minneapolis Inc, dba Gabby's Saloon & Eatery,
1900 Marshall St NE

On-Sale Liquor Class B with Sunday Sales, to expire July 1, 2009

Eastern Treasure Inc, dba Musashi Japanese Restaurant, 12 S 6th St

Minneapolis 0052 LLC, dba Lodge Bar, 15 S 5th St

Sirian Enterprises, dba Lee's Liquor Bar, 101 Glenwood Av

Michael Anthony Inc, dba Runyons, 107 Washington Av N

Loring Pasta Bar, dba Loring Pasta Bar, 327 14th Av SE

Sam Ventures Inc, dba Imperial Room, 417 1st Av N, #100

Brothers of Minneapolis Inc, dba Brothers, 430 1st Av N, Suite 100

Caba Group Inc, dba Matty B's, 501 Washington Av S

One Eyed Dog Ltd, dba Triple Rock, 629 Cedar Av

Tanner Madison Entities LLC, dba Legends Café, 825 E Hennepin Av

RWB Development Company LLC, dba Chambers Hotel, 901 Hennepin Av

Last Cowboy LLC, dba Bar Abilene, 1300 Lagoon Av

T M Entities LLC, dba Mayslacks Polka Lounge, 1428 4th St NE

Zuhrah Shrine Temple, dba Zuhrah Shrine Temple, 2540 Park Av

Ballentine VFW Post 246, dba Ballentine VFW Post 246, 2916 Lyndale Av S

Belfast Enterprises LLC, dba McMahon's Pub, 3001 E Lake St

Noras Calhoun Inc, dba Tryg's, 3118 W Lake St

On-Sale Liquor Class C-1 with Sunday Sales, to expire July 1, 2009

Kilimanjaro Café Inc, dba Kilimanjaro Café, 324 Cedar Av

Westbank Productions Co LLC, dba 400 Bar, 400 Cedar Av

Lurcat LLC, dba Cafe and Bar Lurcat, 1624 Harmon Pl

N A D LLC, dba Leaning Tower of Pizza, 2501 University Av SE

On-Sale Liquor Class C-2 with Sunday Sales, to expire July 1, 2009

Hubert's Inc, dba Huberts Bar & Grill, 601 Chicago Av

Jahraus Management LLC, dba Nick and Eddie, 1612 Harmon Pl

Empire Eight LLC, dba Five Event Center, 2917 Bryant Av S

Pier Group LLC, dba Chiang Mai Thai Restaurant, 3001 Hennepin Av

On-Sale Liquor Class C-2 with Sunday Sales, to expire October 1, 2008

G & K Vegas Inc, dba Vegas Lounge, 965 Central Av NE, 1st floor

On-Sale Liquor Class D with Sunday Sales, to expire July 1, 2009

101 Blu LLC, dba Aura Restaurant, 3001 Hennepin Av

On-Sale Liquor Class E with Sunday Sales, to expire April 1, 2009

NE Palace Inc, dba NE Palace, 2500 4th St NE

On-Sale Liquor Class E with Sunday Sales, to expire July 1, 2009

Starmac Inc, dba Champions Saloon & Eatery, 105 W Lake St

Saunders Dining Inc, dba Fugaise, 308 E Hennepin Av

Phoenix Catering Inc, dba Joseph Catering, 336 Hoover St NE

Largo Enterprises Inc, dba Whitey's World Famous Saloon, 400 E Hennepin Av

Complete Beverage Service Inc, dba J J's Dry Dock Cafe, 401 3rd St N

Ramez Enterprises Inc, dba Arone's Bar, 500 Central Av NE

Cedar Point Inc, dba Palmers Bar, 500 Cedar Av

Cuzzy's Inc, dba Cuzzy's Grill & Bar, 507 Washington Av N

U Otter Stop Inn Inc, dba U Otter Stop Inn, 617 Central Av NE

Tuttle Inc, dba Elsie's, 729 Marshall St NE

Capital Grille Holdings Inc, dba Capital Grille, 801 Hennepin Av

Parker Investments Inc, dba Northeast Yacht Club, 801 Marshall St NE

Sanctuary Restaurant Inc, dba Sanctuary Restaurant, 903 Washington Av S
RCSH Operations Inc, dba Ruth's Chris Steakhouse, 920 2nd Av S, Suite 100
Sterling Hospitality Corp, dba Staccato, 1125 Marquette Av
Campiello LLC, dba Campiello, 1320 W Lake St
Philip Wong Inc, dba Red Dragon, 2116 Lyndale Av S
Psycho Suzis Motor Lounge LLC, dba Psycho Suzis Motor Lodge,
2519 Marshall St NE
Town Talk Diner LLC, dba Town Talk Diner, 2707 E Lake St
Thao Brothers LLC, dba Sushi Tango, 3001 Hennepin Av
Club 46 Inc, dba Rachael's Club 46, 4601 Lyndale Av N
Al Vento Incorporated, dba Al Vento, 5001 34th Av S
Liquor Catering Services, to expire August 1, 2009
Mintahoe Inc, dba Mintahoe Hospitality Group, 40 Power St (Minneapolis Park & Recreation Board)
On-Sale Wine Class E with Strong Beer, to expire April 1, 2009
Italianis LLC, dba Italianis Family Restaurant Grill & Bar, 3508 E Lake St (downgrade from Class
C-2)
Los Andes Restaurant LLC, dba Los Andes Restaurant, 317 W Lake St
Off-Sale Beer, to expire April 1, 2009
Jerry's Enterprises Inc, dba Cub Foods-Lake Street, 2850 26th Av S
Kwik Mart Inc, dba Kwik Mart Inc, 3652 Cedar Av
AP & AA Tran Corporation, dba A & A Market, 4751 Nicollet Av
On-Sale Beer Class E, to expire April 1, 2009
Village Wok Restaurant Inc, dba Village Wok Restaurant, 610 Washington Av SE
Davanni's Inc, dba Davanni's Pizza & Hot Hoagies, 1414 W Lake St
Kinhdo Plus Corporation, dba Kinhdo Restaurant, 2755 Hennepin Av
Minneapolis Park & Recreation Board, dba Hiawatha Golf Course, 4553 Longfellow Av
Skylane Bowling Center Inc, dba Skylanes, 5019 34th Av S.
Adopted 7/11/2008.
Absent - Hofstede, Goodman.

PS&RS - Your Committee recommends passage of the accompanying resolution granting applications for Business Licenses.
Adopted 7/11/2008.
Absent - Hofstede, Goodman.

Resolution 2008R-280, granting applications for Business Licenses, was adopted 7/11/2008 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2008R-280
By Samuels

Granting applications for Business Licenses.

Resolved by The City Council of The City of Minneapolis:

That the following applications for business licenses (including provisional licenses) as per list on file and of record in the Office of the City Clerk under date of July 11, 2008 be granted, subject to final inspection and compliance with all provisions of the applicable codes and ordinances (Petn No 272881):

All Night Special Food; Confectionery; Grocery; Food Manufacturer; Food Market Manufacturer; Drive In Food Restricted; Restaurant; Food Shelf; Short-Term Food Permit; Seasonal Short Term Food; Sidewalk Cafe; Vending Machine; Gasoline Filling Station; Hotel/Motel; Motor Vehicle Dealer – New & Used; Recycling Salvage Yard; Residential Specialty Contractor; Secondhand Goods Class B;

Solicitor – Company; Solicitor – Individual; Swimming Pool – Public; Tattooist/Body Piercer; Tattooist/Body Piercer Establishment; Taxicab Service Company; Taxicab Vehicle – Fuel Efficient; Taxicab Vehicle; Taxicab Vehicle Non-Transferable; Taxicab – Neighborhood Rideshare; Tobacco Dealer.

Adopted 7/11/2008.

Absent - Hofstede, Goodman.

PS&RS - Your Committee recommends passage of the accompanying resolution granting applications for Gambling Licenses.

Adopted 7/11/2008.

Absent - Hofstede, Goodman.

Approved by Mayor Rybak 7/11/2008.

(Published 7/15/2008)

RESOLUTION 2008R-281
By Samuels

Granting applications for Gambling Licenses.

Resolved by The City Council of The City of Minneapolis:

That the following applications for gambling licenses be granted, subject to final inspection and compliance with all provisions of applicable codes and ordinances

(Petr No 272881):

Gambling Class B

Minnesota/USA Wrestling Inc, dba Minnesota/USA Wrestling Inc, 3006 Lyndale Av S (Site: Country Bar & Grill, 3006 Lyndale Av S)

Church of the Incarnation, dba Church of the Incarnation, 3817 Pleasant Av S (Site: The Little Wagon, 420 S 4th St)

Church of the Incarnation, dba Church of the Incarnation, 3817 Pleasant Av S (Site: Champions Saloon & Eatery, 105 W Lake St)

Church of the Incarnation, dba Church of the Incarnation, 3817 Pleasant Av S (Site: 1029 Bar & Cafe, 1029 Marshall St NE)

Gambling Exempt

One Heartland, dba One Heartland, 1221 Nicollet Av, #501 (Raffle July 13, 2008 at Brit's Pub, 1110 Nicollet Av)

Lyndale Neighborhood Association, dba Lyndale Neighborhood Association, 3537 Nicollet Av (Raffle July 26, 2008 at Zion Lutheran Church, 128 W 33rd St)

Church of St Anne-St. Joseph Hien, dba Church of St Anne-St Joseph Hien, 2627 Queen Av N (Excluded Bingo August 23 & 24, 2008 at St Anne-St Joseph Hien Premises)

Hellenic Post No 129 American Legion, dba Hellenic Post No 129 American Legion, 2727 26th Av S (Raffle September 7, 2008 at St. Mary's Greek Orthodox Church, 3450 Irving Av S)

Theater Latte Da, dba Theater Latte Da, 1614 Harmon Pl #230 (Raffle September 13, 2008 at Guthrie Theater, 828 S 2nd St)

Church of St Cyril & Methodius, dba Church of St Cyril & Methodius, 1315 2nd St NE (Bingo, Raffle, Paddlewheel and Pulltabs August 16 & 17, 2008).

Adopted 7/11/2008.

Absent - Hofstede, Goodman.

Approved by Mayor Rybak 7/11/2008.

(Published 7/15/2008)

PS&RS - Your Committee recommends passage of the accompanying resolution approving License Settlement Conference recommendations relating to the Plumbing License held by Carlson Plumbing, 3728 Edgerton St, Vadnais Heights.

Adopted 7/11/2008.

Absent - Hofstede, Goodman.

Resolution 2008R-282, approving License Settlement Conference recommendations relating to the Plumbing License held by Carlson Plumbing, 3728 Edgerton St, Vadnais Heights, was adopted 7/11/2008 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2008R-282
By Samuels

Approving License Settlement Conference recommendations relating to the Plumbing License held by Carlson Plumbing, 3728 Edgerton St, Vadnais Heights.

Whereas, the Licenses & Consumer Services Division held a License Settlement Conference hearing on May 23, 2008 with the licensee; and

Whereas, the Public Safety & Regulatory Services Committee received Findings of Fact, Conclusions and Recommendations that concluded that Carlson Plumbing failed to obtain necessary permits on at least six occasions;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the following recommendations be adopted, as more fully set forth in said Findings on file in the Office of the City Clerk and made a part of this report by reference:

1. the City imposes a \$1,000 sanction for failing to obtain required plumbing permits prior to the start of work, of which \$500 will be stayed for a two-year period pending no same or similar violations.
2. Carlson Plumbing will provide a copy of the system they have implemented to ensure that all permits will be obtained in the City of Minneapolis.
3. Carlson Plumbing agrees that all future work performed in the City of Minneapolis will have permits as stipulated by City ordinances. Emergency work must have permits obtained within 24 hours.
4. Carlson Plumbing agrees to honor all inspection orders by the date specified on the order unless an extension of the date of the order is requested.
5. Carlson Plumbing will, within the next 60 days, arrange for inspections on all outstanding permits. Corporate officials agree that the appropriate inspector will be notified when the work is completed.
6. Carlson Plumbing agrees that they will work under a contract/agreement for any work performed in the City of Minneapolis. The contract/agreement shall include the scope of work to be performed and whether the work is being performed for time plus materials or for a set contract amount.

Adopted 7/11/2008.

Absent - Hofstede, Goodman.

PS&RS – Your Committee, to whom was referred the subject matter of the following ordinances amending Title 18 of the Minneapolis Code of Ordinances relating to *Traffic Code*, ensuring laws protecting the safety of bicyclists, now recommends that said ordinances be returned to author:

- a. Chapter 474 relating to *Vehicle Operation*; and
- b. Chapter 490 relating to *Bicycles*.

Adopted 7/11/2008.

Absent - Hofstede, Goodman.

PS&RS - Your Committee, having under consideration the Rental Dwelling License for the property located at 1918 Queen Av N, and having received an acceptable management plan for the property and verification that said property is now in compliance with rental licensing standards, now recommends concurrence with the recommendation of the Director of Inspections to approve the reinstatement of said license to be held by Kunta J Comodore.

Adopted 7/11/2008.

Absent - Hofstede, Goodman.

PS&RS - Your Committee, having under consideration the Rental Dwelling License for the property located at 420 30th Av N, and having received an acceptable management plan for the property and verification that said property is now in compliance with rental licensing standards, now recommends concurrence with the recommendation of the Director of Inspections to approve the reinstatement of said license to be held by Noel Klaindel.

Adopted 7/11/2008.

Absent - Hofstede, Goodman.

The PUBLIC SAFETY & REGULATORY SERVICES and WAYS & MEANS/BUDGET Committees submitted the following reports:

PS&RS & W&M/Budget - Your Committee recommends acceptance of low bid received on OP #6962 submitted by Over the Top, Inc, for an estimated expenditure of \$75,000 to furnish and deliver all labor, materials, equipment and incidentals necessary for weed cutting and related services as needed and directed through May 29, 2009 for the South District, all in accordance with City specifications.

Your Committee further recommends that the proper City Officers be authorized to execute a contract for said service.

Adopted 7/11/2008.

Absent - Hofstede, Goodman.

PS&RS & W&M/Budget - Your Committee recommends that the proper City officers be authorized to execute an agreement with Cardiac Science for a marketing partnership to promote the City's Project Heartbeat Program to save lives through early defibrillation. Said agreement provides for Cardiac Science to pay certain marketing support payments and fees to the City in exchange for access to the commercial marketing potential associated with the City. Further, passage of the accompanying resolution appropriating \$60,000 to the Fire Department.

Adopted 7/11/2008.

Absent - Hofstede, Goodman.

**RESOLUTION 2008R-283
By Samuels and Ostrow**

Amending The 2008 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled Resolution, as amended, be further amended by increasing the appropriation for the Fire Department Agency in the General Fund (00100-2800400) by \$60,000 and increasing the Revenue Source (00100-2800400 – Source 375504) by \$60,000.

Adopted 7/11/2008.

Absent - Hofstede, Goodman.

PS&RS & W&M/Budget - Your Committee recommends that the proper City officers be authorized to execute a contract with the Minneapolis Community and Technical College, in the amount of \$67,000, to conduct criminal justice and law enforcement training for the Police Department's 2008 Cadet class.

Adopted 7/11/2008.

Absent - Hofstede, Goodman.

The TRANSPORTATION & PUBLIC WORKS Committee submitted the following reports:

T&PW - Your Committee, to whom was referred an ordinance amending Title 17 of the Minneapolis Code of Ordinances relating to *Streets and Sidewalks*, by adding a new Chapter 462 establishing the East Lake Street Special Service District (Lake St E from Hiawatha Ave to West River Road; and 27th

Ave S from Lake St E to Minnehaha Ave), and having held a public hearing thereon, now recommends that said ordinance be given its second reading for amendment and passage.

Adopted 7/11/2008.

Absent - Goodman.

Ordinance 2008-Or-050, amending Title 17 of the Minneapolis Code of Ordinances relating to *Streets and Sidewalks*, by adding a new Chapter 462 establishing the East Lake Street Special Service District, was adopted 7/11/2008 by the City Council. A complete copy of this ordinance is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized ordinance.

ORDINANCE 2008-Or-050
By Colvin Roy
Intro & 1st Reading: 5/16/2008
Ref to: T&PW
2nd Reading: 7/11/2008

Amending Title 17 of the Minneapolis Code of Ordinances relating to Streets and Sidewalks, by adding a new Chapter 462 relating to East Lake Street Special Service District.

The City Council of The City of Minneapolis do ordain as follows:

Section 1. That the Minneapolis Code of Ordinances be amended by adding thereto a new Chapter 462 to read as follows:

CHAPTER 462. EAST LAKE STREET SPECIAL SERVICE DISTRICT

462.10. Establishment. Pursuant to the authority granted by Minnesota Statutes, Chapter 428A, Section 428A.01 through 428A.10, there is hereby established a special service district (otherwise referred to herein as the "district") wherein the city may provide, or contract for, public services to be provided of a kind or to a degree not required or performed elsewhere in the city. Said special service district shall consist of the following area, except for those portions thereof within those zoning districts in which business, commercial and industrial uses are not permitted under the Minneapolis Zoning Code:

Commencing at the centerline Lake Street East and Minnesota Trunk Highway 55, thence northerly on the centerline Minnesota Trunk Highway to a point 100 feet north of the centerline of Lake Street East, thence easterly on a line parallel to the centerline Lake Street East to its intersection with the centerline of West River Parkway, thence southerly along the centerline of West River Parkway to a point 100 feet south of the centerline of Lake Street East, thence westerly on a line parallel to the centerline of Lake Street East to a point 205 feet east of the centerline of 27th Avenue South extended, thence westerly to its intersection with the centerline Minnehaha Avenue, thence northwesterly on the centerline of Minnehaha Avenue to a point 100 feet south of the centerline of Lake Street East, thence westerly on a line parallel to Lake Street East to its intersection with the centerline of Minnesota Trunk Highway 55, thence northerly on the centerline of Minnesota Trunk Highway 55 to its intersection with the centerline of Lake Street East to the point of beginning and there terminating.

462.20. Special Services to be performed. Within the special service district, the city may perform of any of the following services to the extent that such services are not ordinarily provided throughout the city from ordinary revenues of the city unless an increased level of the service is provided in the special service district:

- (1) Snow and ice removal and sanding of public areas.
- (2) Cleaning and scrubbing of sidewalks; cleaning of curbs, gutters, alleys, and streets.
- (3) Provision, installation, maintenance, removal, and replacement of banners and other decorative items for promotion of the commercial area of the district.
- (4) Poster and handbill removal.
- (5) Repair and maintenance of sidewalks.

- (6) Installation and maintenance of area-wide security systems.
- (7) Provision and coordination of security personnel to supplement regular city personnel.
- (8) Maintenance, repair, and cleaning of commercial area directories, kiosks, benches, bus shelters, newspaper stands, trash receptacles, information booths, bicycle racks and bicycle storage containers, sculptures, murals, and other public area art pieces.
- (9) Installation, maintenance, and removal of lighting on commercial area trees.
- (10) Cost of electrical services for pedestrian and tree lighting.
- (11) Repair of low-level pedestrian lights and poles.
- (12) Provision of comprehensive liability insurance for public space improvements.
- (13) Trash removal and recycling costs.
- (14) Provision, maintenance, and replacement of special signage relating to vehicle and bicycle parking, vehicle and pedestrian movement, and special events.
- (15) Watering, fertilizing, maintenance and replacement of trees and bushes on the public right-of-way.
- (16) Provide all management services for operation of a Special Service District.

462.30. Service charge. The city council hereby finds and determines that the annual costs of providing the services specified in section 462.20 hereof will provide benefits primarily to properties located within the district, rather than to the city as a whole, and that the costs of said services may be recovered by the city by the imposition of service charges to be assessed against properties located within the district pursuant to Minnesota Statutes, Chapter 428A, Section .01 through .10, and as authorized by any applicable charter, special law, or statutory authority including Minnesota Statutes Chapter 429 and Laws of Minnesota, 1969, Chapter 499.

462.40. Notice of veto power. Within five (5) days after adoption of this chapter, the city clerk shall mail a summary of this chapter to the owner of each parcel included in the special service district and any individual or business organization subject to a service charge. The notice must meet the requirements of Minnesota Statutes Chapter 428A, Section .09.

462.50. Imposition of service charge; levy. The service charges shall be levied annually prior to November thirtieth (30) upon properties within the district, in an aggregate sum, which, combined with any property tax levied under section 462.60 hereof, will equal the estimated total costs of the city in providing the services referred to in section 462.20 for the next ensuing calendar year. Prior to imposing the service charges, a public hearing shall be held with respect thereto at which all interested persons may appear and be heard. Notice of the public hearing shall be given in at least two (2) separate publications of the city's official newspaper two (2) weeks apart and the public hearing shall not be held less than three (3) days after the last publication. Not less than ten (10) days prior to the hearing, notice shall be mailed to the owner of each parcel of real estate within the area of the proposed district. For the purpose of giving such mailed notice, owners shall be those shown on the records of the county auditor. Other records may be used to supply the necessary information. Notices must be provided as required by the applicable notice provisions of Minnesota Statutes, Chapter 428A. For properties which are tax exempt or subject to taxation on a gross earnings basis in lieu of property tax and are not listed on the records of the county auditor, the owners shall be ascertained by any practical means, and mailed notice given them. The notice of public hearing shall include:

- (1) a statement that all interested persons will be given an opportunity to be heard at the hearing regarding a proposed service charge;
- (2) the proposed rate or amount of the proposed service charge to be imposed in the district during the calendar year and the nature and character of special services to be rendered in the district during the calendar year in which the service charge is to be collected;
- (3) a statement that the petition requirements of Minnesota Statutes, section 428A.08 have either been met or do not apply to the proposed service charge; and
- (4) a statement that an owner may appeal an assessment of the service charge to district court including the procedure for appeal.

Within six (6) months of the public hearing, the city may adopt a resolution imposing a service charge within the district not exceeding the amount or rate expressed in the notice issued under this section.

The service charge may be levied at any time not later than six (6) months after the public hearing by a vote of a majority of all members of the city council.

462.60. Assessment of service charges. Except as otherwise provided herein, the service charges imposed under sections 462.30 and 462.40 shall be assessed against parcels of real estate within the district in the manner and subject to the procedures provided in Minnesota Statutes, sections 429.061, 429.071 and 429.081; provided that each assessment shall be payable in a single tax year. Within thirty (30) days after the adoption of the assessment, any person aggrieved may appeal to the district court by serving a notice of appeal upon the mayor or city clerk; provided that no appeal may be taken unless the person appealing shall have filed a signed, written, objection with the city clerk prior to the assessment hearing or shall have presented it to the presiding officer at the hearing, unless a reasonable cause shall exist for such person's failure to do so.

462.70. Ad valorem property tax. The city may, in each calendar year, levy a tax on taxable property in the district based upon the assessed value of the property and such tax shall be assessed and collected in the same manner as other property taxes on property located within the district. The tax shall be levied at a rate that will raise an aggregate sum, which, when combined with any service charges levied in the district, will equal the total costs of the city in providing the services specified in this chapter for the next ensuing calendar year; provided, however, that taxes may be levied in the year 2009 for services rendered and to be rendered in the calendar years 2009 and 2010. Prior to the levy of such a tax, a public hearing shall be held. The requirements for the public hearing and the notice of public hearing shall be the same as specified in section 462.40 with respect to the levy of special service charges, and the tax may be levied not later than six (6) months after the public hearing by a majority vote of all of the members of the city council.

For purposes of determining the appropriate tax rate, taxable property or value shall be determined under Minnesota Statutes. Property exempt from taxation by Minnesota Statute shall be exempt from such tax.

462.80. Revenue surplus or deficit. In the event that the cost of services rendered in the district in any calendar year exceed the total taxes and service charges levied and collected with respect to such calendar year, an amount necessary to recoup the excess costs shall be levied as taxes, service charges, or both in the next ensuing year; to the extent that the total taxes and service charges exceed the cost of services, the next ensuing year's levy of taxes and service charges shall be decreased by a corresponding amount.

462.90. Limitation. Taxes and service charges may be levied pursuant to this chapter to finance special services ordinarily provided by the city only if the services are provided in the district at an increased level and, then, only in an amount sufficient to pay for the increase.

462.100. Petitions and notices. Petitions and notices required for hearings, petitions, or notices under this chapter, and for the resolution setting any service charges, fees, or rates, shall be in compliance with any applicable petition and notice requirements imposed pursuant to Minnesota Statutes, sections 428A.01 through 428A.10. Within five (5) days of adoption of the ordinance or any resolution setting rates or fees, in accordance with Minnesota Statutes, sections 428A.01 through 428A.10, a summary of the ordinance or resolution must be mailed to the owner of each parcel included in the special service district and any individual or business organization subject to a service charge in the same manner that notice is mailed under Minnesota Statutes, section 428A.02. The mailing must include notice that owners subject to the service charge have a right to veto the ordinance by filing the required number of objections with the city clerk before the effective date of the ordinance or resolution and that a copy of the ordinance or resolution is on file with the city clerk for public inspection.

462.110. Advisory board. (a) An advisory board to be known as the East Lake Street Special Service District Advisory Board consisting of nine (9) members, who are residents of the district, owners of property within the district, owners or operators of a business located within the district or their designated representative may be appointed by the city council for terms of two (2) years beginning on January first of each odd-numbered year, the first term to commence January 1, 2009. All board members shall be appointed in conformance with the city's open appointments ordinance. Any vacancy in an unexpired term shall be filled in the same manner as the original appointment was made and shall be for the unexpired term. Board members shall serve until their successors are appointed.

(b) The advisory board shall advise the city council in connection with the construction, maintenance, and operation of improvements and the furnishing of special services in the district. It shall make recommendations to the city council on requests and complaints of owners, occupants, and users of property within the district and members of the public.

(c) Before the adoption of any proposal by the city council to provide services or service charges within the district, the advisory board of the district must have an opportunity to review and comment upon the proposal.

(d) Upon or after the effective date of this chapter, the city council may appoint a temporary advisory board consisting of nine (9) members who shall be required to have the qualifications specified in paragraph (a) of this section. Said temporary advisory board shall have all of the powers, duties and responsibilities of, and shall be known as, the East Lake Street Special Service District Advisory Board from its date of appointment through December 31, 2008. In appointing the temporary advisory board members, the city council shall not be bound by the provisions of Minneapolis Code of Ordinances, Section 14.180.

462.120. Definitions and construction. The terms used herein shall be defined as provided in Minnesota Statutes, Chapter 428A Sections 428A.01 through 428A.10 and said Statute shall in all respects govern the creation, existence and operation of the district and the manner imposing service charges therein and this chapter shall be construed consistently therewith.

462.130. Bonds. At any time after a contract for the construction of all or part of an improvement authorized under Minnesota Statutes, Chapter 442 to 442.170 has been entered into or the work has been ordered done by day labor, the city council may issue obligations in the amount it deems necessary to defray in whole or in part the expense incurred and estimated to be incurred in making the improvement, including every item of cost from inception to completion and all fees and expenses incurred in connection with the improvement or the financing. The obligations are payable primarily out of the proceeds of the service charge based on net tax capacity imposed under section 462.50 and 462.150 or from any other special assessments or nontax revenues available to be pledged for their payment under charter or statutory authority, or from two (2) or more of those sources.

The City Council may, by resolution adopted prior to the sale of obligations, pledge the full faith, credit, and taxing power of the city to assure payment of the principal and interest if the proceeds of the service charge in the district are insufficient to pay the principal and interest. The obligations must be issued in accordance with Minnesota Statutes, Chapter 475, except that an election is not required, and the amount of the obligations need not be included in determining the net debt of the city under the provisions of any law or charter limiting debt.

462.140. Notice to Commissioner of Revenue. Within thirty (30) days after adoption of this chapter, the city clerk shall send a copy of this chapter to the Commissioner of Revenue.

462.150. Exemption of certain properties from taxes and service charges. Property exempt from taxation by section 462.10 is exempt from any service charges based on net tax capacity imposed under sections 462 to 462.70.

462.160. Collection of service charges. Service charges may be imposed on the basis of the net tax capacity of the property on which the service charge is imposed but must be spread only upon the net tax capacity of the taxable property located in the geographic area described in the ordinance. Service charges based on net tax capacity may be payable and collected at the same time and in the same manner as provided for payment and collection of ad valorem taxes. When made payable in the same manner as ad valorem taxes, service charges not paid on or before the applicable due date shall be subject to the same penalty and interest as in the case of ad valorem tax amounts not paid by the respective due date. The due date for a service charge payable in the same manner as ad valorem taxes is the due date given in law for the real or personal property tax for the property on which the service charge is imposed. Service charges imposed on net tax capacity which are to become payable in the following year must be certified to the county auditor by the date provided in section 462.50 for the annual certification of special assessment installments. Other service charges imposed must be collected as provided by ordinance. For the purpose of this section, "net tax capacity" means the net tax capacity most recently determined at the time that tax rates are determined under Minnesota Statutes, Chapter 275, section 08.

462.170. Effective date. This ordinance shall become effective forty-five (45) days from and after its date of publication in the official newspaper of the City of Minneapolis.

Adopted 7/11/2008.

Absent - Goodman.

T&PW - Your Committee, to whom was referred an ordinance amending Title 17 of the Minneapolis Code of Ordinances relating to *Streets and Sidewalks*, by adding a new Chapter 463 establishing the Lyndale-Lake Special Service District (Lake St W from Dupont Ave S to Blaisdell Ave S; and Lyndale Ave S from 29th St W to 31st St W), and having held a public hearing thereon, now recommends that said ordinance be given its second reading for amendment and passage.

Adopted 7/11/2008.

Absent - Goodman.

Ordinance 2008-Or-051, amending Title 17 of the Minneapolis Code of Ordinances relating to *Streets and Sidewalks*, by adding a new Chapter 463 establishing the Lyndale-Lake Street Special Service District, was adopted 7/11/2008 by the City Council. A complete copy of this ordinance is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized ordinance.

ORDINANCE 2008-Or-051

By Colvin Roy

Intro & 1st Reading: 5/16/2008

Ref to: T&PW

2nd Reading: 7/11/2008

Amending Title 17 of the Minneapolis Code of Ordinances relating to Streets and Sidewalks, by adding a new Chapter 463 relating to Lyndale-Lake Special Service District.

The City Council of The City of Minneapolis do ordain as follows:

Section 1. That the Minneapolis Code of Ordinances be amended by adding thereto a new Chapter 463 to read as follows:

CHAPTER 463. LYNDALE-LAKE SPECIAL SERVICE DISTRICT

463.10. Establishment. Pursuant to the authority granted by Minnesota Statutes, Chapter 428A, Section 428A.01 through 428A.10, there is hereby established a special service district (otherwise referred to herein as the "district") wherein the city may provide, or contract for public services to be provided, of a kind or to a degree not required or performed elsewhere in the city. Said special service district shall consist of the following area, except for those portions thereof within those zoning districts in which business, commercial and industrial uses are not permitted under the Minneapolis Zoning Code:

Commencing at the intersection of Lake Street West and Dupont Avenue South, thence northerly on the centerline of Dupont Avenue South to a point 90 feet north of the centerline of Lake Street West, thence easterly on a line parallel to the centerline of Lake Street West to a point 170 feet west of the centerline of Lyndale Avenue South, thence northerly on a line parallel to the centerline of Lyndale Avenue South to its intersection with the centerline of 29th Street West, thence easterly on the centerline of 29th Street West to its intersection with the centerline of Lyndale Avenue South, thence northerly on the centerline of Lyndale Avenue South a distance of 60 feet, thence easterly on a line parallel with the centerline of 29th Street West extended a distance of 180 feet, thence southerly on a line parallel to the centerline of Lyndale Avenue South to a point that is 90 feet north of the centerline of Lake Street West, thence easterly on a line that is parallel to the centerline of Lake Street West to the centerline of Blaisdell Avenue, thence southerly on the centerline of Blaisdell Avenue to a point 90 feet south of the intersection of Blaisdell Avenue and Lake Street West, thence westerly on a line parallel to the centerline of Lake Street West to a point 155 feet west of the centerline of Garfield Avenue, thence southerly on a line parallel to the centerline of Garfield Avenue to the centerline of 31st Street West, thence westerly on the centerline of 31st Street West to a point 220 feet west of the centerline of Lyndale Avenue South, thence northerly on a line parallel to the centerline of Lyndale Avenue South to a point 90 feet south of the centerline of Lake Street West, thence westerly on a line parallel to the centerline of Lake Street West to its intersection with the centerline of Dupont Avenue South, thence northerly on the centerline of

Dupont Avenue South to its intersection with the centerline of Lake Street West to the point of beginning and there terminating.

463.20. Special Services to be performed. Within the special service district, the city may perform any of the following services to the extent that such services are not ordinarily provided throughout the city from ordinary revenues of the city unless an increased level of the service is provided in the special service district:

- (1) Snow and ice removal and sanding of public areas.
- (2) Cleaning and scrubbing of sidewalks; cleaning of curbs, gutters, alleys, and streets.
- (3) Provision, installation, maintenance, removal, and replacement of banners and other decorative items for promotion of the commercial area of the district.
- (4) Poster and handbill removal.
- (5) Repair and maintenance of sidewalks.
- (6) Installation and maintenance of area-wide security systems.
- (7) Provision and coordination of security personnel to supplement regular city personnel.
- (8) Maintenance, repair, and cleaning of commercial area directories, kiosks, benches, bus shelters, newspaper stands, trash receptacles, information booths, bicycle racks and bicycle storage containers, sculptures, murals, and other public area art pieces.
- (9) Installation, maintenance, and removal of lighting on commercial area trees.
- (10) Cost of electrical services for pedestrian and tree lighting.
- (11) Repair of low-level pedestrian lights and poles.
- (12) Provision of comprehensive liability insurance for public space improvements.
- (13) Trash removal and recycling costs.
- (14) Provision, maintenance, and replacement of special signage relating to vehicle and bicycle parking, vehicle and pedestrian movement, and special events.
- (15) Watering, fertilizing, maintenance and replacement of trees and bushes on the public right-of-way.
- (16) Provide all management services for operation of a Special Service District.

463.30. Service charge. The city council hereby finds and determines that the annual costs of providing the services specified in section 463.20 hereof will provide benefits primarily to properties located within the district, rather than to the city as a whole, and that the costs of said services may be recovered by the city by the imposition of service charges to be assessed against properties located within the district pursuant to Minnesota Statutes, Chapter 428A, section .01 through .10, and as authorized by any applicable charter, special law, or statutory authority including Minnesota Statutes Chapter 429 and Laws of Minnesota, 1969, Chapter 499.

463.40. Notice of veto power. Within five (5) days after adoption of this chapter the city clerk shall mail a summary of this chapter to the owner of each parcel included in the special service district and any individual or business organization subject to a service charge. The notice must meet the requirements of Minnesota Statutes Chapter 428A, section .09.

463.50. Imposition of service charge; levy. The service charges shall be levied annually prior to November thirtieth (30) upon properties within the district, in an aggregate sum, which, combined with any property tax levied under section 463.60 hereof, will equal the estimated total costs of the city in providing the services referred to in section 463.20 for the next ensuing calendar year. Prior to imposing the service charges, a public hearing shall be held with respect thereto at which all interested persons may appear and be heard. Notice of the public hearing shall be given in at least two (2) separate publications of the city's official newspaper two (2) weeks apart and the public hearing shall not be held less than three (3) days after the last publication. Not less than ten (10) days prior to the hearing, notice shall be mailed to the owner of each parcel of real estate within the area of the proposed district. For the purpose of giving such mailed notice, owners shall be those shown on the records of the county auditor. Other records may be used to supply the necessary information. Notices must be provided as required by the applicable notice provisions of Minnesota Statutes, Chapter 428A. For properties which are tax exempt or subject to taxation on a gross earnings basis in lieu of property tax and are not listed on the records of the county auditor, the owners shall be ascertained by any practical means, and mailed notice given them. The notice of public hearing shall include:

(1) a statement that all interested persons will be given an opportunity to be heard at the hearing regarding a proposed service charge;

(2) the proposed rate or amount of the proposed service charge to be imposed in the district during the calendar year and the nature and character of special services to be rendered in the district during the calendar year in which the service charge is to be collected;

(3) a statement that the petition requirements of Minnesota Statutes, section 428A.08 have either been met or do not apply to the proposed service charge; and

(4) a statement that an owner may appeal an assessment of the service charge to district court including the procedure for appeal.

Within six (6) months of the public hearing, the city may adopt a resolution imposing a service charge within the district not exceeding the amount or rate expressed in the notice issued under this section.

The service charge may be levied at any time not later than six (6) months after the public hearing by a vote of a majority of all members of the city council.

463.60. Assessment of service charges. Except as otherwise provided herein, the service charges imposed under sections 463.30 and 463.40 shall be assessed against parcels of real estate within the district in the manner and subject to the procedures provided in Minnesota Statutes, sections 429.061, 429.071 and 429.081, provided that each assessment shall be payable in a single tax year. Within thirty (30) days after the adoption of the assessment, any person aggrieved may appeal to the district court by serving a notice of appeal upon the mayor or city clerk; provided that no appeal may be taken unless the person appealing shall have filed a signed, written, objection with the city clerk prior to the assessment hearing or shall have presented it to the presiding officer at the hearing, unless a reasonable cause shall exist for such person's failure to do so.

463.70. Ad valorem property tax. The city may, in each calendar year, levy a tax on taxable property in the district based upon the assessed value of the property and such tax shall be assessed and collected in the same manner as other property taxes on property located within the district. The tax shall be levied at a rate that will raise an aggregate sum, which, when combined with any service charges levied in the district, will equal the total costs of the city in providing the services specified in this chapter for the next ensuing calendar year; provided, however, that taxes may be levied in the year 2009 for services rendered and to be rendered in the calendar years 2009 and 2010. Prior to the levy of such a tax a public hearing shall be held. The requirements for the public hearing and the notice of public hearing shall be the same as specified in section 463.40 with respect to the levy of special service charges, and the tax may be levied not later than six (6) months after the public hearing by a majority vote of all of the members of the city council.

For purposes of determining the appropriate tax rate, taxable property or value shall be determined under Minnesota Statutes. Property exempt from taxation by Minnesota Statute shall be exempt from such tax.

463.80. Revenue surplus or deficit. In the event that the cost of services rendered in the district in any calendar year exceed the total taxes and service charges levied and collected with respect to such calendar year, an amount necessary to recoup the excess costs shall be levied as taxes, service charges, or both in the next ensuing year; to the extent that the total taxes and service charges exceed the cost of services, the next ensuing year's levy of taxes and service charges shall be decreased by a corresponding amount.

463.90. Limitation. Taxes and service charges may be levied pursuant to this chapter to finance special services ordinarily provided by the city only if the services are provided in the district at an increased level and, then, only in an amount sufficient to pay for the increase.

463.100. Petitions and notices. Petitions and notices required for hearings, petitions, or notices under this chapter, and for the resolution setting any service charges, fees, or rates, shall be in compliance with any applicable petition and notice requirements imposed pursuant to Minnesota Statutes, sections 428A.01 through 428A.10. Within five (5) days of adoption of the ordinance or any resolution setting rates or fees, in accordance with Minnesota Statutes, sections 428A.01 through 428A.10, a summary of the ordinance or resolution must be mailed to the owner of each parcel included in the special service district and any individual or business organization subject to a service charge in the same manner that notice is mailed under Minnesota Statutes, section 428A.02. The mailing

must include notice that owners subject to the service charge have a right to veto the ordinance by filing the required number of objections with the city clerk before the effective date of the ordinance or resolution and that a copy of the ordinance or resolution is on file with the city clerk for public inspection.

463.110. Advisory board. (a) An advisory board to be known as the Lyndale Avenue Lake Street Special Service District Advisory Board consisting of five (5) members, who are residents of the district, owners of property within the district, owners or operators of a business located within the district or their designated representative may be appointed by the city council for terms of two (2) years beginning on January first of each odd-numbered year, the first term to commence January 1, 2009. All board members shall be appointed in conformance with the city's open appointments ordinance. Any vacancy in an unexpired term shall be filled in the same manner as the original appointment was made and shall be for the unexpired term. Board members shall serve until their successors are appointed.

(b) The advisory board shall advise the city council in connection with the construction, maintenance, and operation of improvements and the furnishing of special services in the district. It shall make recommendations to the city council on requests and complaints of owners, occupants, and users of property within the district and members of the public.

(c) Before the adoption of any proposal by the city council to provide services or service charges within the district, the advisory board of the district must have an opportunity to review and comment upon the proposal.

(d) Upon or after the effective date of this chapter, the city council may appoint a temporary advisory board consisting of five (5) members who shall be required to have the qualifications specified in paragraph (a) of this section. Said temporary advisory board shall have all of the powers, duties and responsibilities of, and shall be known as, the Lyndale Avenue Lake Street Special Service District Advisory Board from its date of appointment through December 31, 2008. In appointing the temporary advisory board members, the city council shall not be bound by the provisions of Minneapolis Code of Ordinances, Section 14.180.

463.120. Definitions and construction. The terms used herein shall be defined as provided in Minnesota Statutes, Chapter 428A sections 428A.01 through 428A.10 and said statute shall in all respects govern the creation, existence and operation of the district and the manner imposing service charges therein and this chapter shall be construed consistently therewith.

463.130. Bonds. At any time after a contract for the construction of all or part of an improvement authorized under Minnesota Statutes, Chapter 442 to 442.170 has been entered into or the work has been ordered done by day labor, the city council may issue obligations in the amount it deems necessary to defray in whole or in part the expense incurred and estimated to be incurred in making the improvement, including every item of cost from inception to completion and all fees and expenses incurred in connection with the improvement or the financing. The obligations are payable primarily out of the proceeds of the service charge based on net tax capacity imposed under section 463.50 and 463.150 or from any other special assessments or nontax revenues available to be pledged for their payment under charter or statutory authority, or from two (2) or more of those sources.

The city council may, by resolution adopted prior to the sale of obligations, pledge the full faith, credit, and taxing power of the city to assure payment of the principal and interest if the proceeds of the service charge in the district are insufficient to pay the principal and interest. The obligations must be issued in accordance with Minnesota Statutes, Chapter 475, except that an election is not required, and the amount of the obligations need not be included in determining the net debt of the city under the provisions of any law or charter limiting debt.

463.140. Notice to Commissioner of Revenue. Within thirty (30) days after adoption of this chapter, the city clerk shall send a copy of this chapter to the Commissioner of Revenue.

463.150. Exemption of certain properties from taxes and service charges. Property exempt from taxation by section 463.10 is exempt from any service charges based on net tax capacity imposed under sections 463 to 463.70.

463.160. Collection of service charges. Service charges may be imposed on the basis of the net tax capacity of the property on which the service charge is imposed but must be spread only upon the net tax capacity of the taxable property located in the geographic area described in the ordinance. Service charges based on net tax capacity may be payable and collected at the same time and in the same manner as provided for payment and collection of ad valorem taxes. When made payable in the

same manner as ad valorem taxes, service charges not paid on or before the applicable due date shall be subject to the same penalty and interest as in the case of ad valorem tax amounts not paid by the respective due date. The due date for a service charge payable in the same manner as ad valorem taxes is the due date given in law for the real or personal property tax for the property on which the service charge is imposed. Service charges imposed on net tax capacity which are to become payable in the following year must be certified to the county auditor by the date provided in section 463.50 for the annual certification of special assessment installments. Other service charges imposed must be collected as provided by ordinance. For the purpose of this section, "net tax capacity" means the net tax capacity most recently determined at the time that tax rates are determined under Minnesota Statutes, Chapter 275, section .08.

463.170. Effective date. This chapter shall become effective forty-five (45) days from and after its date of publication in the official newspaper of the City of Minneapolis.

Adopted 7/11/2008.

Absent - Goodman.

T&PW - Your Committee recommends passage of the accompanying resolution designating the improvement of the alleys in the 2008 Alley Resurfacing Program, Special Improvement of Existing Alleys No FS08#1.

Adopted 7/11/2008.

Absent - Goodman.

Resolution 2008R-284, designating the improvement of ten alleys in the City of Minneapolis, was adopted 7/11/2008 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2008R-284

By Colvin Roy

**SPECIAL IMPROVEMENT OF EXISTING ALLEYS NO FS08#1
2008 ALLEY RESURFACING PROGRAM**

Designating the improvement of the 2008 Alley Resurfacing Program (10 alleys located throughout the City of Minneapolis).

Resolved by The City Council of The City of Minneapolis:

That the following existing alleys within the City of Minneapolis are hereby designated to be improved, pursuant to the provisions of Chapter 10, Section 6 of the Minneapolis City Charter, by overlaying with bituminous material and including other related improvements and work as needed:

1. The alley running from 41st Ave N to 42nd Ave N between Aldrich Ave N and Lyndale Ave N;
2. The alley running from 34th Ave N to 35th Ave N between Thomas Ave N and Sheridan Ave N;
3. The alley running from Hayes St NE to 26th Ave NE between Brighton Ave NE and Hayes St NE;
4. The "T" shaped alley running from McKinley St NE to Stinson Blvd and 29th Ave NE to alley "T" between St. Anthony Pkwy and 29th Ave NE;
5. The "L" shaped alley running from 25th St W to Emerson Ave S between Hennepin Ave and Emerson Ave S;
6. The dead-end alley running from 28th St E to approximately 210 feet south of 28th St E between 5th Ave S and Portland Ave;
7. The alley running from 32nd St E to 33rd St E between 40th Ave S and 41st Ave S;
8. The "T" shaped alley running from Lyndale Ave S to Garfield Ave and 51st St W to alley "T" between W Minnehaha Pkwy and 51st St W;
9. The alley running from 57th St W to 56th St W between Wentworth Ave and Blaisdell Ave; and

10. The alley running from 57th St E to Woodlawn Blvd between 20th Ave S and 21st Ave S.
Adopted 7/11/2008.
Absent - Goodman.

T&PW - Your Committee, having received a cost estimate of \$189,515 for alley resurfacing improvements and a list of benefited properties for the 2008 Alley Resurfacing Program, Special Improvement of Existing Alleys No FS08#1, as designated by Resolution 2008R-284 passed July 11, 2008, now recommends that the City Engineer be directed to prepare a proposed Alley Resurfacing Special Improvement Assessment against the list of benefited properties.

Your Committee further recommends that a public hearing be held on July 29, 2008, in accordance with Chapter 10, Section 8 of the Minneapolis City Charter and Section 24.180 of the Minneapolis Code of Ordinances, to consider approving the resurfacing of the above-designated alley locations, and to consider the amount proposed to be assessed to each benefited property and the amount to be funded by the City.

Adopted 7/11/2008.
Absent - Goodman.

T&PW - Your Committee recommends that the proper City officers be authorized to issue an RFP to solicit proposals from qualified companies to furnish and potentially install on-street parking equipment (meters). This project is included in the Parking Fund Workout Plan under the Parking Meter Management Plan Initiative.

Adopted 7/11/2008.
Absent - Goodman.

T&PW - Your Committee recommends the appointment of Council Member Robert Lilligren to the Grant Evaluation and Ranking System (GEARS) Committee of the Counties Transit Improvement Board (CTIB).

Adopted 7/11/2008.
Absent - Goodman.

T&PW - Your Committee, having under consideration a Memorandum of Understanding (MOU), dated June 20, 2008, with the Metropolitan Council, Regents of the University of Minnesota, Hennepin County Regional Railroad Authority, and Hennepin County ("Parties") for the purpose of defining the scope and commitment of the Parties to the Central Corridor Project mitigation issues, and providing further direction to develop a second MOU which will define and detail specific design, construction, and operation issues related to the project, now recommends that said Memorandum of Understanding **be sent forward without recommendation.**

Colvin Roy moved that the report be amended by deleting the language "that said Memorandum of Understanding be sent forward without recommendation" and inserting in lieu thereof "approval of a revised Memorandum of Understanding dated 6/24/2008." Seconded.

Adopted by unanimous consent.
Absent - Goodman.
The report, as amended, was adopted 7/11/2008.
Absent - Goodman.

The TRANSPORTATION & PUBLIC WORKS and WAYS & MEANS/BUDGET Committees submitted the following reports:

T&PW & W&M/Budget - Your Committee recommends passage of the accompanying resolution receiving and accepting the final costs, and adjusting the capital appropriations as necessary, to officially close out three bridge projects and reallocate excess MSA funds and Net Debt Bonds to other bridge projects.

Your Committee further recommends passage of the accompanying resolution requesting the concurrence of the Board of Estimate and Taxation in the reallocation of already issued Net Debt Bonds.

Adopted 7/11/2008.
Absent - Goodman.

Resolution 2008R-285, amending the 2008 Capital Improvement Appropriation Resolution to close out three bridge projects and reallocate excess MSA and Net Debt Bond funds, was adopted 7/11/2008 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2008R-285
By Colvin Roy and Ostrow

Amending The 2008 Capital Improvement Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended as follows:

That the final costs of all work described in the following bridge projects be received and accepted and that the capital appropriations be adjusted as specified thereby closing the projects:

- a) All bridge work related to the Dinkytown Bridge - 14th Avenue SE Project for a total of \$639,731.85. Bridge construction capital appropriation in 04100-9010000-CBR033 shall be decreased by \$511,266.15 with excess MSA revenue re-designated in the amount of \$84,393.88;
- b) All bridge work related to the Cedar Lake Parkway Bridge Project for a total of \$5,875,540.77. Bridge construction capital appropriation in 04100-9010000-CBR040 shall be decreased by \$5,712.23; and
- c) All bridge work related to the Plymouth Avenue/BNSF Bridge Project for a total of \$2,470,140.42. Bridge construction capital appropriation in 04100-9010000-CBR041 shall be decreased by \$224,423.56 and additional revenue is needed to finalize the project in the amount of \$20,287.75.

Be It Further Resolved that, as a result of the above project close-outs, \$84,393.88 of excess MSA revenue becomes available to be reallocated as follows:

- a) \$20,287.75 to the Plymouth Avenue/BNSF Bridge Project (04100-9010000-CBR041) - No further budget adjustment necessary;
- b) \$3,588.10 to the East River Parkway over Bridal Veil Falls Bridge Project (04100-9010000-CBR102) - This project is not being closed; and
- c) The remaining \$60,518.03 of revenue shall be re-allocated to the Dinkytown Bridge - 15th Avenue Southeast Bridge Project (04100-9010000-BR036) - This project is not being closed and no budget adjustment is necessary.

Be It Further Resolved that, as a result of the above project close-outs, \$26,411.90 of excess Net Debt Bonds becomes available to be reallocated from the Cedar Lake Parkway Bridge Project (04100-9010000-CBR040) to the East River Parkway over Bridal Veil Falls Bridge Project (04100-9010000-CBR102).

Adopted 7/11/2008.

Absent - Goodman.

Resolution 2008R-286, requesting concurrence of the Board of Estimate and Taxation in the reallocation of already issued Net Debt Bonds in the amount of \$26,411.90, was adopted 7/11/2008 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2008R-286
By Colvin Roy and Ostrow

Requesting concurrence of the Board of Estimate and Taxation in the reallocation of already issued Net Debt Bonds in the amount of \$26,411.90.

Resolved by The City Council of The City of Minneapolis:

That the Board of Estimate and Taxation be requested to concur with the reallocation of already issued Net Debt Bonds in the amount of \$26,411.90 from the Cedar Lake Parkway Bridge Project (04100-9010000-CBR040) to the East River Parkway over Bridal Veil Falls Bridge Project (04100-9010000-CBR102).

Adopted 7/11/2008.

Absent - Goodman.

T&PW & W&M/Budget - Your Committee recommends acceptance of the low bid submitted to the Public Works Department on OP No 6977 from VCI Environmental, Inc., in the amount of \$45,000, to furnish and deliver all labor, materials, equipment, and incidentals necessary for the Little Earth Pedestrian Bridge Repainting Project.

Your Committee further recommends that the proper City officers be authorized and directed to execute a contract for said service, all in accordance with City specifications and contingent upon approval of the Civil Rights Department.

Adopted 7/11/2008.

Absent - Goodman.

The WAYS & MEANS/BUDGET Committee submitted the following reports:

W&M/Budget - Your Committee recommends passage of the accompanying resolution authorizing the settlement of legal matters, as recommended by the City Attorney.

Adopted 7/11/2008.

Absent - Goodman.

Resolution 2008R-287, authorizing settlement of the following claims of *Nicole and Tyra Chivers v. City of Minneapolis*, was adopted 7/11/2008 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2008R-287
By Ostrow

Authorizing legal settlement.

Resolved by The City Council of The City of Minneapolis:

That the City Attorney is authorized to proceed with the settlement of:
Nicole and Tyra Chivers v. City of Minneapolis, by payment of \$36,000, payable to Nicole and Tyra Chivers and their attorney, Frederick Goetz; payable from the Self Insurance Fund (6900-150-1500-4000).

Further, authorize the City Attorney's Office to execute any documents necessary to effectuate the settlement.

Adopted 7/11/2008.

Absent - Goodman.

W&M/Budget - Your Committee recommends approval of the August 2008 utility billing insert on behalf of the Minneapolis Elections Office providing 2008 Minneapolis voter information (registration, election dates, offices on the ballot, accessibility information, etc.)

Adopted 7/11/2008.

Absent - Goodman.

W&M/Budget - Your Committee recommends passage of the accompanying resolution authorizing acceptance of the donation of cake and refreshments by Kelber Catering in honor of the Minneapolis Sesquicentennial Employee Recognition Event, to be held on July 24, 2008 at the Minneapolis Convention Center.

Adopted 7/11/2008.

Absent - Goodman.

RESOLUTION 2008R-288

By Ostrow

Authorizing the donation of cake and refreshments by Kelber Catering.

Resolved by The City Council of The City of Minneapolis:

That the proper City officers be authorized to accept the donation of cake and refreshments by Kelber Catering, valued at \$17,515, in honor of the Minneapolis Sesquicentennial Employee Recognition Event.

Adopted 7/11/2008.

Absent - Goodman.

W&M/Budget - Your Committee recommends acceptance of the low responsive bid submitted on OP No 6978 from Topline Advertising, Inc., in the amount of \$359,445, to furnish all labor, materials, equipment, and incidentals necessary to accomplish upgrading of electronic signs at the Minneapolis Convention Center.

Your Committee further recommends that the proper City officers be authorized and directed to execute a contract for said service, all in accordance with City specifications.

Adopted 7/11/2008.

Absent - Goodman.

W&M/Budget - Your Committee, having under consideration the settlement obligation of Ames & Fischer Co. II, LLP relating to the City's parking ramp at 10th and Washington Avenue, now recommends amending the previous settlement agreement of \$2.6 million due September 15, 2010, to allow prepayment at a discounted amount of not less than \$2.43 million on or before August 1, 2008.

Adopted 7/11/2008.

Absent - Goodman.

W&M/Budget - Your Committee, having under consideration the Permanent Review Committee (PRC) findings and recommendation relating to the Request for Proposals for Collection of Garbage, Recycling, Problem Materials and Seasonal Yard Wastes, now recommends that the findings prepared by the PRC be adopted.

Your Committee further recommends that staff be directed to include a labor peace provision consistent with the provision contained in Resolution 2007R-454 adopted by the City Council on August 31, 2007.

Adopted 7/11/2008.

Absent - Goodman.

The ZONING & PLANNING Committee submitted the following reports:

Z&P - Your Committee, having under consideration the appeal filed by Joseph Spangler from the decision of the Board of Adjustment which, notwithstanding the recommendation of staff, granted the application of Wentworth Aircraft, Inc., for a variance to the enclosed building requirements to allow for outdoor storage of aircraft parts, at 2825 13th Ave S, now recommends that said appeal be granted, the application denied, and that the findings prepared by the Department of Community Planning & Economic Development staff be adopted.

Adopted 7/11/2008.

Absent - Goodman.

Z&P – Your Committee, having under consideration *The Minneapolis Plan for Sustainable Growth*, the update to the City’s Comprehensive Plan, now recommends concurrence in the recommendation of the Planning Commission to approve submission of the plan to the Metropolitan Council for review, subject to the following changes and amendments:

A. Minor modifications and clarification to existing language:

1. Executive Summary

- i. Page 10 – Replace title heading “Educated and Involved People” with title heading “Literate and Involved People”
- ii. Page 12 under title heading “Transportation Access” – Revise last sentence to state “The City sets the example for others through its business practices, featuring low-emitting fuel efficient vehicles in its motor vehicle fleet, for example.”
- iii. Page 14 under title heading “Livable Neighborhoods” – Revise last sentence to state “Important priorities include improving public safety, preservation, and equal access to community facilities, such as schools and libraries.”

B. Policy clarification regarding uniform application of Sustainable/Winter Cities/ Climate Sensitive Design Practices:

1. Land Use Chapter

- i. Page 16, Amend Policy 1.12.4 to state, “Discourage uses that diminish the transit and pedestrian character of Activity Centers, such as automobile services, surface parking lots, and drive-through facilities.”
- ii. Page 16, Add Policy 1.12.10 to state, “Encourage developments to incorporate climate sensitive site and building design practices.”
- iii. Page 18, Amend Policy 1.13.3 to state, “Discourage uses that diminish the transit and pedestrian character of areas around transit stations, such as automobile services, surface parking lots, and drive-through facilities.”

2. Transportation Chapter

- i. Page 7, Amend Policy 2.5.4 to state, “Implement and expand zoning regulations and incentives that promote bicycling, such as secured storage for bikes near building entrances, storage lockers, and changing and shower facilities.”
- ii. Page 7, Add Policy 2.5.8 to state, “Incorporate bike parking into street furniture configurations.”
- iii. Page 8, Amend Policy 2.6.3 to state, “Implement strategies, such as preferential and discounted parking for low-emitting fuel efficient vehicles, car-and vanpooling, low-emitting fuel efficient taxi services, and car sharing programs, that increase vehicle occupancy and reduce the number of single occupancy vehicles.”
- iv. Page 14, Amend Policy 2.10.4 to state, “Improve the pedestrian environment Downtown to ensure it is a safe, enjoyable, and accessible place to walk. Encourage strategies such as wider sidewalks for pedestrian movement, trees, landscaping, and street furniture, improved transit facilities, additional bicycle facilities, and on-street parking and other curb-side uses.”

3. Economic Development Chapter

- i. Page 13, Amend Policy 4.13.2 to state, “Encourage existing Downtown buildings to retrofit using sustainable design practices, including energy efficiency, additional green space, and bicycle facilities.”

4. Environment Chapter

- i. Page 4, Amend Policy 6.2.7 to state, "Promote the development of sustainable site and building standards."
- ii. Page 4, Amend Policy 6.3.5 to state, "Support the development of sustainable site and building standards on a citywide basis."
- iii. Page 5, Amend Policy 6.3.9 to state, "Develop regulations to further reduce the heat island effect in the city by increasing green urban spaces for parks and open spaces, including shading of parking lots, sidewalks, and other impervious surfaces, promoting installation and maintenance of green roofs and utilization of highly reflective roofing and paving materials."
- iv. Page 5, Add Policy 6.3.10 to state, "Promote climate sensitive site and building design practices."
- v. Page 9, Amend Policy 6.9.7 to state, "Preserve and enhance the strategic placement of pervious surfaces within the city to decrease the rate and volume of storm water runoff."

5. Open Spaces & Parks Chapter

- i. Page 12, Amend Policy 7.6.1 to state, "Where open spaces and the built environment interface, seek greater design integration between them to create interesting spaces for active and passive use."
- ii. Page 12, Amend Policy 7.6.6 to state, "Promote open space design that enhances the four season experience for all Minneapolis residents and visitors."

6. Heritage Preservation Chapter

- i. Page 10, Amend title heading to state "Reduce, Reuse, and Recycle"
- ii. Page 10, Amend last sentence in first paragraph to state, "...Applying the ethic of "reduce, reuse, and recycle" to buildings with the goal of neighborhood revitalization can have positive results for Minneapolis communities, the natural environment, and society."
- iii. Page 10, Amend last sentence in last paragraph to state, "...At any time during the process of reducing, reusing or recycling of buildings, documentation of the structure could also take place."
- iv. Page 11, Amend Policy title heading to state, "Policy 8.7: Create a regulatory framework and consider implementing incentives to support the ethic of "reduce, reuse, and recycle" and revitalization for buildings and neighborhood."

7. Arts and Culture Chapter

- i. Page 4, Amend Policy 9.2.2 to state, "Recruit people of color and diverse geography into cultural leadership roles."

8. Urban Design Chapter

- i. Page 2, Amend the first text paragraph to state, "Our urban form also reflects the fact that Minneapolis is a Winter City. Utilizing climate sensitive design strategies adapted to our northern environment can create and enhance year round urban livability by making the winter environment more safe, comfortable and enjoyable at the pedestrian realm. Snow removal for safety and active winter transportation (walking and biking), minimizing the shadowing of pedestrian spaces used in the wintertime, as well as landscaping for winter visual interest and wind screening are important."
- ii. Page 5, Amend Policy 10.2.8 to state, "Coordinate site designs and public right-of-way improvements to provide adequate sidewalk space for pedestrian movement, street trees, landscaping, street furniture, sidewalk cafes and other elements of active pedestrian areas."
- iii. Page 13, Amend Policy 10.9.4 to state, "Coordinate site designs and public right-of-way improvements to provide adequate sidewalk space for pedestrian movement, street trees, landscaping, street furniture, sidewalk cafes and other elements of active pedestrian areas."

iv. Page 14, Amend the first sentence of the second paragraph to state, "Successful commercial buildings and areas attract pedestrians by bringing their storefronts close to the sidewalk's edge, providing adequate sidewalk space for pedestrian movement and four season amenities, orienting building design to the street, and respecting traditional urban form by keeping building heights to a level that is compatible with the surrounding neighborhood."

v. Page 15, Amend Policy 10.10.1 to state, "Enhance the city's commercial districts by encouraging appropriate building forms and designs, historic preservation objectives, site plans that enhance the pedestrian environment, and by maintaining high quality four season public spaces and infrastructure."

vi. Page 16, Amend Policy 10.11.4 to state, "Maximize the year round potential for public transit, biking, and walking in new developments."

vii. Page 18, Amend the first sentence under Public Spaces to state, "Public spaces in Winter Cities are successful when they are designed with people in mind for year round use."

viii. Page 19, Amend Policy 10.14.6 to state, "Develop public plaza standards that give specific guidance on preferred design and maintenance of seating, lighting, landscaping and other amenities utilizing climate sensitive design principles."

ix. Page 20, Amend Policy 10.16.2 to state, "Provide streetscape amenities, including street furniture, trees, and landscaping, that buffer pedestrians from auto traffic, parking areas, and winter elements."

x. Page 22, Amend Policy 10.17 title heading to state, "Provide sufficient lighting to reflect community character, to provide a comfortable environment in a northern city and promote environmentally friendly lighting systems."

xi. Page 22, Amend Policy 10.17.1 to state, "Provide high-quality lighting fixture designs that are appropriate to street types and land use, and that provide pedestrian friendly illumination, but minimize glare and dark sky conditions, and other unnecessary light pollution."

C. To designate 38th St E and 4th Ave S as a Neighborhood Commercial Node in the 2008 update to the Minneapolis Plan for Sustainable Growth, to include the following properties: 3744, 3753, 3759, 3800, 3801, and 3810 4th Ave S; and 330, 343, 345, and 411 38th St E.

D. To expand the boundaries of the 38th St E and Chicago Ave Neighborhood Commercial Node shown in the draft 2008 update to the Minneapolis Plan for Sustainable Growth to include the following properties: 3641, 3649, 3701, 3705, 3715, 3644, 3710 Chicago Ave and 730 E 38th St.

E. Page 14, add 1.11.7 to encourage the redevelopment of vacant commercial buildings and direct City services to these areas.

F. Housing Chapter

i. Page 3, Add paragraph under first paragraph on page which reads, "In most parts of the city there is a robust market for buying and renting housing units. Some areas, however, have experienced disinvestment over the years and a decline in the quality of the housing stock. The recent and ongoing foreclosure crisis has exacerbated these conditions. It has resulted in numerous vacant housing units, and threatened many households with dislocation and great financial setback. The city and numerous collaborators have and will mount an aggressive response through strengthening existing programs and launching innovative efforts." ii. Page 8, Amend Policy 3.5.8 to read, "Reduce the number of mortgage foreclosures through strategies such as home ownership counseling, public education about responsible mortgages and early warning systems that flag problem issues before default is inevitable."

G. Arts and Culture Chapter

i. Page 5, Amend the first sentence of the last paragraph to state, "The City funds public art through a voluntary allocation of the annual net debt bond, the exact amount determined annually by through the Capital Long Range Improvement Committee and budget adoption process."

Your Committee further recommends that staff be directed to include the following considerations as part of the Above the Falls rezoning study to be conducted after adoption of The Minneapolis Plan for Sustainable Growth: (1) Explore policy and regulatory strategies for providing existing property owners clearer expectations about the phasing of long-range land use transitions; and (2) analyze and report back to the Council on the potential impacts of the land use guidance in the Above The Falls study area related to the extent and phasing of the proposed long-range transition from industrial to non-industrial development.”

Schiff moved to amend the report by restoring W Broadway Ave & Penn Ave N, University Ave & Bedford St SE, 25th St E & Bloomington Ave, 38th St E and 4th Ave S, 42nd St E & Bloomington Ave, 60th St & Nicollet Ave as neighborhood commercial nodes in the 2008 Minneapolis Plan for Sustainable Growth. Seconded.

Adopted upon a voice vote.

Absent - Goodman.

Hofstede moved to amend the report by making the following changes:

Chapter 3 Housing, Page 5, Section 3.3.4:

“Support policies and programs that create longterm and perpetually affordable housing units for families with children.”

Chapter 3 Housing, Page 9, Section 3.6.3.:

“Maintain a healthy supply of multifamily ownership and rental housing, and promote the development of alternative forms of homeownership such as cooperative housing and cohousing consistent with adopted neighborhood plans.”

Chapter 3 Housing, Page 8, First Paragraph:

Change the last sentence to read: “Strategies for doing this include building or improving community assets, improving the quality of new housing that is being produced, and providing incentives for the production of mixed income and market rate housing in addition to new affordable housing and rehabilitation of housing.”

Chapter 4 Economic Development, Page 2:

“4.1.5- Continue to streamline City development review permitting and licensing to develop property in the City of Minneapolis, consistent with the neighborhood and City adopted plans.”

Chapter 7 Parks and Open Spaces, Page 9:

“7.3- Maintain and improve the accessibility of all open spaces and parks to all residents, creating family friendly green spaces in the downtown core.”

Chapter 9 Arts and Culture, Page 7:

“Policy 9.6: Promote collaborations among arts and cultural organizations, artists, the City, and other partners for a larger community impact.”

Chapter 10 Public Spaces, Page 18, first paragraph:

Change fourth sentence to read: “New public spaces must be created with careful attention to location, accessibility and sustainability, as well as child and family friendly.”

Change sixth sentence to read: “Public spaces may also be green spaces, valued not only for the respite they provide for city residents, workers, families and children, but also for the ecological functions they serve in terms of stormwater management and improving air quality.” Seconded.

Lilligren moved that the report be referred back to the Z&P Committee. Seconded.

Lost upon a voice vote.

Absent - Goodman.

Ostrow moved to divide the amendment so as to consider separately that portion relating to Chapter 3 Housing, Page 5, Section 3.3.4. Seconded.

Adopted by unanimous consent.

Absent - Goodman.

Ostrow moved to substitute the following language for that portion:

“Chapter 3 Housing: Create a new section 3.4.6 to read: Support policies and programs that create longterm and perpetually affordable housing units for families with children.” Seconded.

Remington moved to call the question on Ostrow’s motion. Seconded.

Adopted upon a voice vote.

Absent - Goodman.

Ostrow's motion lost. Yeas, 5; Nays, 7 as follows:

Yeas - Hofstede, Ostrow, Colvin Roy, Samuels, Johnson.

Nays - Gordon, Schiff, Lilligren, Glidden, Remington, Benson, Hodges.

Absent - Goodman.

Benson moved to call the question on the balance of Hofstede's motion. Seconded.

Adopted upon a voice vote.

Absent - Goodman.

Hofstede's motion lost. Yeas, 2; Nays, 10 as follows:

Yeas - Hofstede, Johnson.

Nays - Gordon, Ostrow, Schiff, Lilligren, Colvin Roy, Glidden, Remington, Benson, Hodges, Samuels.

Absent - Goodman.

The report, as amended, was adopted 7/11/2008.

Absent - Goodman.

Z&P – Your Committee, having under consideration the Department of Community Planning & Economic Development's Zoning Code Text and Map Amendment Work Plan, now recommends that the Plan be approved, as amended by re-prioritizing the zoning code text amendments relating to maximum occupancy of dwelling units to the end of the plan as set forth in Petition Number 272897.

Johnson moved to amend the report by striking the language "re-prioritizing the zoning code text amendments relating to maximum occupancy of dwelling units to the end of the plan" and inserting in lieu thereof:

"inserting in position number 23 an ordinance amending Chapters 520, 543 & 544, described as 'Revise sign regulations that apply to the HHH Metrodome (Goodman)', assigned to Lead Planning Staff Poor, with status 'Not introduced'; and reprioritizing the zoning code text amendments relating to maximum occupancy of dwelling units to position number 24,". Seconded.

Adopted by unanimous consent.

Absent - Goodman.

The report, as amended, was adopted 7/11/2008.

Absent - Goodman.

MOTIONS

Ostrow moved that the regular payrolls for all City employees under City Council jurisdiction for the month of August, 2008, be approved and ordered paid subject to audit by the Finance Officer. Seconded.

Adopted 7/11/2008.

Absent - Goodman.

RESOLUTIONS

Resolution 2008R-289, honoring Mary Petersen for her 40 years of service to the residents of the City of Minneapolis, was adopted 7/11/2008 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2008R-289

By Benson, Hodges

Honoring Mary Petersen for Forty Years of Service to the Residents of the City of Minneapolis.

Whereas, Mary Petersen was born on February 8 in a year that ends in "0"; and

Whereas, she was raised and has lived her entire life within a couple of miles of her current south Minneapolis home in the Windom Neighborhood; and

Whereas, Mary began working in the Minneapolis City Clerk's office on July 11, 1968; and

Whereas, Mary was clearly a child prodigy because she is too young to have obtained typical working age in 1968; and

Whereas, Mary started working for the residents of Minneapolis more than a year prior to the date when one of the Council Members she currently works for was born; and

Whereas, one of the first projects she tackled was to push for "cute" uniforms for City Clerk Staff to wear; and

Whereas, she retains a complete history of the inter-workings of City Hall and the previous inhabitants; and

Whereas, during her tenure, Mary has worked in the Clerk's office, and for the City Council as both a Council Associate and as a Council Aide; and

Whereas, while her children were growing up, she was a pioneer in the City as one of the first to participate in a job sharing arrangement; and

Whereas she attempted to retire previously but that retirement did not last as she continued to work temporarily for various council wards; and

Whereas her latest temporary position, working for Wards 11 and 13, has lasted nearly six years; and

Whereas, as a neighborhood volunteer Mary helped found and served as President of the Windom Community Council and worked tirelessly to install first a tot-lot eventually a community center for her beloved Windom neighborhood; and

Whereas, she is well known as an accomplished consignment shop and thrift store shopper; and

Whereas, she is even more well known for her beautiful gardens, cut flowers and free gardening advice; and

Whereas, she definitely would rather have her work speak on her behalf rather than appear here at the Council meeting where this resolution is adopted, and in fact likely will have a difficult time even watching the DVD recording of today's proceedings;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the City of Minneapolis thanks Mary Petersen for her 40 years of excellent service to the citizens of Minneapolis.

Adopted 7/11/2008.

Absent - Goodman.

NEW BUSINESS

Samuels moved to introduce the subject matter of ordinances amending the Minneapolis Code of Ordinances, for first reading and referral to the Public Safety & Regulatory Services Committee (to transfer Traffic-Control Officers from the jurisdiction of the Department of Regulatory Services to the jurisdiction of the Minneapolis Police Department), as follows:

a) Title 1, Chapter 2 relating to *General Provisions: Administrative Enforcement and Hearing Process*;

b) Title 13, Chapter 341, Article 1A relating to *Licenses and Business Regulations: Taxicabs: Taxicab Driver Conduct*;

c) Title 13, Chapter 341, Article III relating to *Licenses and Business Regulations: Taxicabs: Drivers' Licenses*;

d) Title 18, Chapter 466 relating to *Traffic Code: In General*;

e) Title 18, Chapter 478, Article I relating to *Traffic Code: Parking, Stopping and Standing: Generally*;

f) Title 18, Chapter 478, Article III relating to *Traffic Code: Parking, Stopping and Standing: Tagging Violations*.

Adopted by unanimous consent 7/11/2008.

Absent - Goodman.

Benson moved to introduce the subject matter of ordinances amending the Minneapolis Code of Ordinances, for first reading and referral to the Health, Energy and Environment Committee (to correct a reference to the Minneapolis City Charter and amend High-Risk Sexual Conduct sections to modernize language relating to delegation of authority), as follows:

a) Title 11, Chapter 214, relating to *Health and Sanitation: Department of Health and Family Support*

b) Title 11, Chapter 219, relating to *Health and Sanitation: Contagious Diseases*

Adopted by unanimous consent 7/11/2008.

Absent - Goodman.

Benson moved to introduce the subject matter of an ordinance amending Title 9, Chapter 172 of the Minneapolis Code of Ordinances relating to *Police: Civilian Police Review Authority*, for first reading and referral to the Health, Energy and Environment Committee (to allow the Board to appoint an acting chairperson with full authority to conduct Board business, including the scheduling of hearing panels, in the absence of a chair appointed by the Mayor).

Adopted by unanimous consent 7/11/2008.

Absent - Goodman.

Lilligren moved to adjourn to Friday, July 18, 2008, at 10:00 a.m. for the purpose of marking the occasion of Minneapolis' Sesquicentennial, and to conduct any other business deemed necessary at that time, and that such meeting be and is hereby declared to be an adjourned session of the regular meeting of July 14, 2008. Seconded.

Adopted upon a voice vote 7/11/2008.

Absent - Goodman.

Steven J. Ristuben,
City Clerk.

Unofficial Posting: 7/14/2008

Official Posting: 7/18/2008

Correction: 10/16/2008